

81ST GENERAL ASSEMBLY

REGULAR SESSION

APRIL 24, 1979

1. PRESIDENT:

2. The hour of twelve having arrived, the Senate will come  
3. to order. Will our guests in the Gallery please rise. Prayer  
4. this afternoon by the Reverend George Matranga, Our Savior's  
5. Lutheran Church, Old Jacksonville Road, Springfield, Illinois.  
6. Reverend.

7. REVEREND MATRANGA:

8. (Prayer given by Reverend Matranga)

9. PRESIDENT:

10. Thank you, Reverend. Reading of the Journal.

11. SECRETARY:

12. Wednesday, April 11th, 1979 and Wednesday, April the 17th,  
13. 1979.

14. PRESIDENT:

15. Senator Johns.

16. SENATOR JOHNS:

17. Mr. President, I move that the Journals just read by the  
18. Secretary be approved unless some Senator has additions or  
19. corrections to offer.

20. PRESIDENT:

21. You've heard the motion. All those in favor signify by  
22. saying Aye. All opposed. The Ayes have it. So ordered.

23. Senator Johns.

24. SENATOR JOHNS:

25. Mr. President, I move that reading and approval of  
26. the Journals of Thursday, April the 19th, Friday, April the  
27. 20th and Monday, April the 23rd in the year 1979 be postponed  
28. pending arrival of the printed Journal.

29. PRESIDENT:

30. You've heard the motion. All in favor signify by saying  
31. Aye. All opposed. The Ayes have it. So ordered. Committee  
32. Reports.

33. SECRETARY:

1. Senator Donnewald, Chairman of the Assignment of Bills  
2. Committee, assigns the following Senate Bills to committee:  
3. Agriculture, Conservation and Energy - 1435; Judiciary II -  
4. 1434.  
5. Senator Donnewald assigns the following House Bills to  
6. committee;  
7. Agriculture, Conservation and Energy - 388; Local Govern-  
8. ment - 413, 566, 933 and 934; Pensions, Personnal and Veteran's  
9. Affairs - 742; Transportation - 838.  
10. Senator Knuppel, Chairman of Agriculture, Conservation  
11. and Energy Committee, reports out the following bills:  
12. Senate Bills 673, 970, 975, 1116, 1134 and 1224 with  
13. the recommendation Do Pass. Senate Bills 1274 and 1328 with  
14. the recommendation Do Pass as Amended.  
15. Senator Vadalabene, Chairman of the Committee on Executive  
16. Appointments and Administration, reports out the following Senate  
17. Bills;  
18. 1182, 1183, 1190 with the recommendation Do Pass.  
19. Senator Jerome Joyce, Chairman of the Committee on Local  
20. Government, reports out the following Senate Bills:  
21. 174, 430, 434, 435, 463, 541, 550, 725, 736 and 847 with  
22. the recommendation Do Pass. Senate Bills 360, 554 and 602 with  
23. the recommendation Do Pass as Amended.  
24. PRESIDENT:  
25. Senator Geo-Karis, for what purpose do you arise?  
26. SENATOR GEO-KARIS:  
27. Having obtained the leave of sponsors of the following  
28. bill, I would like to be added on as cosponsor to Senate  
29. Bills 139 and 154. 139 and 154, sir.  
30. PRESIDENT:  
31. For the request, is leave granted? Leave is granted.  
32. So ordered. Resolutions.  
33. SECRETARY:  
34. Senate Resolution 125 offered by Senator Philip, I mean

1. Mitchler, Philip and all Senators. It's congratulatory.

2. Senate Resolution 126 offered by Senator Kenneth Hall,

3. Rock and all Senators. It's congratulatory.

4. Senate Resolution No. 127 offered by Senators Mitchler,

5. Vadalabene and all Senators and it's congratulatory.

6. PRESIDENT:

7. Consent Calendar. Yes, Senator Mitchler, for what purpose

8. do you arise?

9. SENATOR MITCHLER:

10. Mr. President, Senate Resolution 125, I believe it is that the

11. Secretary just read is being introduced, has a significance to

12. this week and I would ask permission to have this read and con-

13. sidered at this time.

14. PRESIDENT:

15. You...you wish the resolution read? All right, Mr. Secretary,

16. there's been a request. Read the resolution.

17. SECRETARY:

18. Senate Resolution No. 125 offered by Senator Mitchler, Philip

19. and all Senators.

20. (Secretary reads Senate Resolution 125)

21. PRESIDENT:

22. Senator Mitchler.

23. SENATOR MITCHLER:

24. Inasmuch as this resolution relates to this day and this

25. week, I would ask for suspension of the rules and immediate

26. adoption and consideration of the resolution.

27. PRESIDENT:

28. You've heard the request. Senator Mitchler seeks...

29. Senator Mitchler seeks leave of the Body to suspend the rules

30. for the immediate consideration and adoption of Senate Resolu-

31. tion 125. Is there any discussion? If not, all those in favor

32. signify by saying Aye. All those opposed. The Ayes have it,

33. the rules are suspended. Senator Mitchler now moves the adoption

1. of Senate Resolution 125. All those in favor signify by saying
2. Aye. All opposed. The Ayes have it, the resolution is adopted.
3. Senator Schaffer, for what purpose do you arise?
4. SENATOR SCHAFFER:
5. Mr. President, for the purpose of Tabling a bill.
6. PRESIDENT:
7. That's always in order.
8. SENATOR SCHAFFER:
9. Mr. Senate...Mr. President, I'd like to Table Senate Bill
10. 1095 which currently resides in the Transportation Committee.
11. PRESIDENT:
12. Senator Schaffer seeks leave of this Body or moves to
13. discharge the Committee on Senate Transportation from further
14. consideration of Senate Bill 1095 for the purpose of Tabling.
15. All those in favor signify by saying Aye. All opposed. The
16. Ayes have it. The bill is discharged. Senator Schaffer now
17. moves to Table Senate Bill 1095. All those in favor signify
18. by saying Aye. All opposed. The Ayes have it. The bill is
19. Tabled. Senator Grotberg, for what purpose do you arise?
20. SENATOR GROTBORG:
21. While there is a lull, Mr. President, I would like to
22. ask leave to be noted as a cosponsor of Senate Bill 461.
23. House Bill 461, I'm sorry. Mr. Pres Bloom is the key sponsor
24. and then to correct the record, if Senator Washington is on
25. the Floor, I would like to make note that the Digest in error
26. has listed him of the sponsor of Senate Bill 1311, which is
27. really my bill and my records show it and the computer has
28. everything, but in the Digest, it's wrong. And if Senator
29. Washington were here, I'm sure he would agree. Let the
30. record show that that is Senator Grotberg's bill.
31. PRESIDENT:
32. The record will so indicate and you might...
33. SENATOR GROTBORG:

1. Thank you.

2. PRESIDENT:

3. ...you might notify the Reference Bureau, they have charge

4. of the Digest.

5. SENATOR GROTEBERG:

6. Thank you.

7. PRESIDENT:

8. Senator Grotberg has sought leave to be shown as a cosponsor

9. of House Bill 461. Is leave granted? Leave is granted. So

10. ordered. Senator Grotberg, for what purpose do you arise?

11. SENATOR GROTEBERG:

12. In the same manner, Mr. President. Senate Bill 1309 lists

13. Senator Geo-Karis...

14. PRESIDENT:

15. Well, why don't we take that up with the Reference Bureau.

16. Okay.

17. SENATOR GROTEBERG:

18. They're...they're the printer and provider. House Bills,

19. 1st reading.

20. SECRETARY:

21. House Bill 148, Senator Berning is the Senate sponsor.

22. (Secretary reads title of bill)

23. 1st reading of the bill.

24. House Bill 205, Senator Bloom is the Senate sponsor.

25. (Secretary reads title of bill)

26. 1st reading of the bill.

27. House Bill 273, Senator Kenneth Hall is the Senate sponsor.

28. (Secretary reads title of bill)

29. 1st reading of the bill.

30. House Bill 27 or 279, Senator Rhoads is the Senate sponsor.

31. (Secretary reads title of bill)

32. 1st reading of the bill.

33. House Bill 347, Senator Wooten is the Senate sponsor.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. House Bill 430, Senator Lemke is the Senate sponsor.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. House Bill 652, Senator Wooten is the Senate sponsor.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. House Bill 1122, Senator Wooten is the Senate sponsor.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. House Bill 522, Senator Wooten is the Senate sponsor.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDENT:
16. Senator D'Arco, for what purpose do you arise?
17. SENATOR D'ARCO:
18. Mr. President, I would move to Table Senate Bill 834,
19. which is residing in the Senate Insurance Committee.
20. PRESIDENT:
21. Senator D'Arco seeks leave of the Body to discharge
22. Senate Bill 834 from further consideration of the Senate
23. Insurance Committee. Is leave granted? Leave is granted, Senator D'Arco
24. now moves to Table Senate Bill 834. All those in favor signify
25. by saying Aye. All opposed. The Ayes have it. The bill is
26. Tabled.
27. SENATOR D'ARCO:
28. Mr. President, I would also ask that Senate Bill 643,
29. which is presently residing in the Pensions Committee, be
30. reassigned to the Insurance Committee where it is appropriately
31. belongs. I discussed that with Senator Egan and he indicated
32. that it was wrongly assigned to his committee and it should
33. be in Insurance.

1. PRESIDENT:

2. Well, Senator Egan is not the Chairman of that committee...I

3. SENATOR D'ARCO:

4. Oh, I mean Merlo...Merlo.

5. PRESIDENT:

6. ...I think you ought...you ought to...they all look alike,

7. I know. You ought to check with Senator Donnewald.

8. SENATOR D'ARCO:

9. Oh, Donnewald...Donnewald, Donnewald. I mean Donnewald.

10. PRESIDENT:

11. 643, is that the number?

12. SENATOR D'ARCO:

13. Yes, Mr. President.

14. PRESIDENT:

15. Senator D'Arco moves that Senate Bill 643 be re-referred  
16. to the Committee on Insurance. All those in favor signify by  
17. saying Aye. All opposed. The Ayes have it. So ordered.

18. Senator...Senator Shapiro.

19. SENATOR SHAPIRO:

20. Mr. President, was the sponsor of the bill, who is Senator  
21. Philip, does he know this is going on?

22. PRESIDENT:

23. I just assumed he was the...I beg your pardon. Who was  
24. the sponsor of the legislation, Senator D'Arco?

25. SENATOR D'ARCO:

26. Senator Philip.

27. PRESIDENT:

28. All right. Well let's...

29. SENATOR D'ARCO:

30. And in fact, he called me today and said that he desired  
31. that to happen.

32. PRESIDENT:

33. Well, we...we ought to relate that. We'll...I'll make  
34. note of that, that was the Chair's fault. Senator D'Arco.

1. SENATOR D'ARCO:  
2.       There's one other bill that I discussed with Senator  
3. Donnewald about re-referring to Insurance, it's in Pensions,  
4. and that's Senate Bill 1171. And I discussed it with Merlo and  
5. I discussed it with...  
6. PRESIDENT:  
7.       Senate Bill 1171, you wish re-referred from where to  
8. where?  
9. SENATOR D'ARCO:  
10.       Re-referred from Pensions to Insurance.  
11. PRESIDENT:  
12.       And who is the sponsor?  
13. SENATOR D'ARCO:  
14.       The sponsor, I don't know who the sponsor is.  
15. PRESIDENT:  
16.       Well, let's hold that one until we find out who the  
17. sponsor is.  
18. SENATOR D'ARCO:  
19.       All right. One...one other request, Mr. Chairman, Mr.  
20. President.  
21. PRESIDENT:  
22.       Yes, Senator D'Arco.  
23. SENATOR D'ARCO:  
24.       I would...I would ask to waive the Six Day Notice Rule  
25. on Senate Bill 1041. That is Senator Philip's bill and he  
26. asked me to do that.  
27. PRESIDENT:  
28.       Yes, the six...the provisions of the Six Day Posting  
29. have already been waived with respect to all Senate Bills.  
30. Senator Lemke. Your light...your switch is on. Do you wish  
31. to be...? Okay, Senator Joyce.  
32. SENATOR JEREMIAH JOYCE:  
33.       Mr. President, I ask leave of the Body to join in this  
34. as cosponsor on Senate Bill 45, 46 and 47. And also Senate

1. Bill 719. I've talked to the sponsors on all of those.
2. PRESIDENT:
3.       What was the...40...Senate Bills 45, 46 and 47.
4. SENATOR JEREMIAH JOYCE:
5.       And Senate Bill 719.
6. PRESIDENT:
7.       And...and Senate Bill 719. Senator Joyce seeks leave
8. of the Body to be shown as cosponsor. Is leave granted? So
9. ordered. Senator Grotberg, for what purpose do you arise?
10. SENATOR GROTBORG:
11.       For the purpose of seeking a motion to discharge for
12. the purpose of Tabling a couple of bills, Mr. President.
13. PRESIDENT:
14.       State your motion.
15. SENATOR GROTBORG:
16.       And I would move to discharge Senate Bill 1031 currently
17. residing in Senate Revenue for the purposes of discharge and
18. if you care I'll deal with both of them at once.
19. PRESIDENT:
20.       All right.
21. SENATOR GROTBORG:
22.       And I would also like to Table Senate Bill 184 on the
23. same motion and then I would like to be heard on a cosponsor-
24. ship with similar bills.
25. PRESIDENT:
26.       Well, where is 184?
27. SENATOR GROTBORG:
28.       184 resides in Judiciary II.
29. PRESIDENT:
30.       Okay. All right. Senator Grotberg has moved to discharge
31. the Committee on Revenue from further consideration of Senate
32. Bill 1031 for the purpose of Tabling and moves to discharge
33. Judiciary II from further consideration of Senate Bill 184

1. for purposes of Tabling. All those in favor signify by saying  
2. Aye. All opposed. The Ayes have it. Senator Grotberg now  
3. moves to Table Senate Bill 1031 and Senate Bill 184. All  
4. those in favor signify by saying Aye. All opposed. The Ayes  
5. have it. So ordered.

6. SENATOR GROTBORG:

7. Now, Mr. President, I would ask leave of the Body to be  
8. shown as cosponsor with Senator Mitchler of Senate Bill 1073  
9. and with Senator Merlo on Senate Bill 198.

10. PRESIDENT:

11. Might you repeat those numbers.

12. SENATOR GROTBORG:

13. 1031...

14. PRESIDENT:

15. No...no...no, those we've got. The ones you want to be  
16. added to.

17. SENATOR GROTBORG:

18. That's what I'm talking about. Oh, yeah...1070...

19. PRESIDENT:

20. You want to be added to one you just Tabled?

21. SENATOR GROTBORG:

22. 1073 and 198, Mr. President.

23. PRESIDENT:

24. All right. Senator Grotberg seeks leave of the Body to  
25. be shown as a cosponsor of Senate Bill 1073 and...and Senate  
26. Bill 198. Is leave granted? Leave is granted. So ordered.  
27. Senator Merlo, for what purpose do you arise?

28. SENATOR MERLO:

29. Mr. President, to ask leave of the Body to include Senator  
30. Grotberg on 198 as a hyphenated sponsor. This was agreed upon  
31. in committee. And to include as general sponsors Senator  
32. Washington, Senator Berman and Senator Geo-Karis, members of  
33. the Judiciary II Committee.

1. PRESIDENT:  
2. All right. You've heard the request. Is leave granted?  
3. Leave is granted. So ordered. Senator Maragos.  
4. SENATOR MARAGOS:  
5. Mr. President, with leave of the Chair, because you are  
6. the chief sponsor of Senate Bill 269.  
7. PRESIDENT:  
8. Yes.  
9. SENATOR MARAGOS:  
10. You are the chief sponsor of Senate Bill 269. I would  
11. like to be...leave to be one of the five original cosponsors  
12. of that bill if I have...I have your leave, Mr. President.  
13. PRESIDENT:  
14. Senator Maragos seeks leave to be shown as a cosponsor  
15. of Senate Bill 269. Is leave granted? Leave is granted. So  
16. ordered. Ladies and Gentlemen of the Senate, Channel 20 and  
17. Channel 3 have requested permission to record part of the  
18. proceedings from the Gallery in the press box. Is leave  
19. granted? Leave is granted. So ordered. Senator D'Arco.  
20. SENATOR D'ARCO:  
21. Mr. President, now I would ask leave to re-refer Senate  
22. Bill 1171 from...from Pensions to Insurance. I checked with  
23. Senator Donnewald and I checked with the sponsor, Senator  
24. Bruce and they agree, it should be in Insurance.  
25. PRESIDENT:  
26. Senator D'Arco has moved to re-refer Senate Bill 1171  
27. from the Committee on Pensions to the Committee on Insurance.  
28. Is leave granted? Leave is granted. So ordered. Yes, Senator  
29. Walsh.  
30. SENATOR WALSH:  
31. Mr. President, the understanding...  
32. PRESIDENT:  
33. Senator Walsh.

1. SENATOR WALSH:

2.           ...on these...on these referrals, as that the minority be  
3. advised before the motions be made. Now, where there's...where  
4. there's a Republican sponsor of the bill, as was the case in  
5. Senator Philip, you know there's no objection, but this is  
6. one that I don't know about and I...I look over at Senator  
7. Donnewald, he does...apparently doesn't know and Senator Graham,  
8. who's the minority member of the Committee on Committees is  
9. not here so...

10. PRESIDENT:

11.           Yeah, I frankly had assumed it had been done. Senator  
12. Donnewald.

13. SENATOR DONNEWALD)

14.           Well, Mr. President, it does, I...I, it's been explained  
15. to me and...and research does show that it belongs with...in  
16. the Insurance Committee and I have no objection now, but I  
17. think in the future I would appreciate the member coming to  
18. me and asking about the bill so I know what's going on.

19. PRESIDENT:

20.           Senator Walsh.

21. SENATOR WALSH:

22.           Well, and...and if the person making the motion could  
23. merely state that he has cleared it with the leadership on  
24. both sides then there would be no problem and we would all  
25. know that it had taken place 'cause we can't remember the  
26. numbers, certainly.

27. PRESIDENT:

28.           Senator Vadalabene, for what purpose do you arise?

29. SENATOR VADALABENE:

30.           Yes, thank you Mr. President and members of the Senate.  
31. Lying in repose in Local Government is Senate Bill 464 and  
32. 465 and I think it's time now to put them to rest.

33. PRESIDENT:

          464 and...4...I assume now that you are the sponsor, thereof.

1. SENATOR VADALABENE:

2. You're right, sir.

3. PRESIDENT:

4. Okay. Senator Vadalabene has moved to discharge the  
5. Committee on Local Government from further consideration of Senate  
6. Bill 464 and 465. All those in favor signify by saying Aye.  
7. All opposed. Senator Bowers, for what purpose do you arise?

8. SENATOR BOWERS:

9. You stated that as a Motion to Discharge, I thought it  
10. was a Motion to...

11. PRESIDENT:

12. Discharge and Table, yes sir.

13. SENATOR BOWERS:

14. Oh, I beg your pardon. I didn't hear the Table.

15. PRESIDENT:

16. Senator Vadalabene has moved to discharge the Committee  
17. on Local Government from further consideration of Senate  
18. Bill 464 and 465 for the purpose of Tabling. All those in  
19. favor signify by saying Aye. All opposed. The Ayes have  
20. it. Senator Vadalabene now moves to Table Senate Bills  
21. 464 and 465. All those in favor signify by saying Aye. All  
22. opposed. The Ayes have it. So ordered. Senator Regner.

23. SENATOR REGNER:

24. Mr. President and members of the Senate, I'd like to  
25. move to discharge Judiciary Committee B from further consider-  
26. ation on Senate Bills 427 and 821 for the purpose of Tabling.

27. PRESIDENT:

28. Senator Regner has moved to discharge the Committee on  
29. Judiciary II from further consideration of Senate Bills 427  
30. and 821.

31. SENATOR REGNER:

32. 8...827 and...yeah, 821 and 427. I'm sorry.

33. PRESIDENT:

1. That's what I said, 427 and 821 for the purpose of  
2. Tabling. All those in favor signify by saying Aye. All  
3. opposed. The Ayes have it. The bills are discharged.  
4. Senator Regner now moves to Table Senate Bills 427 and 821.  
5. All those in favor signify by saying Aye. All opposed. The  
6. Ayes have it. So ordered. Senator Ozinga.

7. SENATOR OZINGA:

8. Mr. President, I am sponsor of Senate Bill 315, 3-1-5,  
9. which now is in the Judiciary Committee, Judiciary B or II, I  
10. guess, and I would now move that the committee be discharged  
11. for the purpose of Tabling the bill.

12. PRESIDENT:

13. Senator Ozinga has moved to discharge the Committee on  
14. Judiciary II from further consideration of Senate Bill 315  
15. for the purpose of Tabling. All those in favor signify by  
16. saying Aye. All opposed. The Ayes have it. The bill is  
17. discharged. Senator Ozinga now moves to Table Senate Bill  
18. 315. All those in favor signify by saying Aye. All opposed.  
19. The Ayes have it. So ordered. Senate Bills on 2nd reading.  
20. Senator D'Arco, for what purpose do you arise?

21. SENATOR D'ARCO:

22. Mr. President, point of personal privilege. I don't  
23. know if the Body is aware of this and it...it really doesn't  
24. make any difference if they are or not 'cause it's very  
25. insignificant, but I would like to mention that it is Senator  
26. Richard Daley's thirty-seventh birthday today and...

27. PRESIDENT:

28. Senator Demuzio.

29. SENATOR DEMUZIO:

30. Mr. President, are we still Tabling bills?

31. PRESIDENT:

32. That motion is always in order. As long...as long as they're  
33. your own.

1. SENATOR DEMUZIO:
2. Pardon.
3. PRESIDENT:
4. As long as they're your own.
5. SENATOR DEMUZIO:
6. I'd like to Table Senate Bill 225 and Senate Bill 232,
7. which currently reside in the Elections Committee.
8. PRESIDENT:
9. Senator Demuzio has moved to discharge the Committee on
10. Elections from further consideration of Senate Bill 225 and
11. 232 for the purpose of Tabling. All those in favor signify
12. by saying Aye. All opposed. The Ayes have it, the bills are
13. discharged. Senator Demuzio now moves to Table Senate Bill
14. 225 and 232. All those in favor signify by saying Aye. All opposed.
15. The Ayes have it. The bills are Tabled. Senator Lemke.
16. SENATOR LEMKE:
17. I'd like to re-refer Senate Bill 117 from Judiciary I
18. to Insurance.
19. PRESIDENT:
20. Have...have we now gone through the established procedure
21. of speaking with the majority and minority spokespersons on
22. the Assignment of Bills Committee? Senator Donnewald, for what
23. purpose do you arise?
24. SENATOR DONNEWALD:
25. For the purpose of Tabling a bill, Senate Bill 1397 in
26. the Committee on Executive. I'd like to have that taken from
27. the Committee on Executive for the purpose of Tabling. Do
28. I have leave?
29. PRESIDENT:
30. Senator Donnewald moves to discharge the Committee on
31. Executive from further consideration of Senate Bill 1397
32. for the purpose of Tabling. All those in favor signify by
33. saying Aye. All those opposed. The Ayes have it. So ordered.

1. Senator Donnewald now moves to Table Senate Bill 1397. All  
2. those in favor signify by saying Aye. All opposed. The Ayes  
3. have it. So ordered. Senator Berning, for what purpose do you  
4. arise?

5. SENATOR BERNING:

6. Mr. President, for the purpose of discharging Executive  
7. from further consideration of Senate Bill 211 for the purpose  
8. of Tabling.

9. PRESIDENT:

10. That motion is in order. Senator Berning seeks...has  
11. moved to discharge the Committee on Executive from further  
12. consideration of Senate Bill 211 for the purpose of Tabling.  
13. All those in favor signify by saying Aye. All opposed. The  
14. Ayes have it. The committee is discharged. Senator Berning  
15. now moves to Table Senate Bill 211. All those in favor signify  
16. by saying Aye. All those opposed. The Ayes have it. So ordered.  
17. Senate Bills on 2nd reading. We will take up where we left  
18. off yesterday. Senate Bill 350, Senator Becker. Senate Bill  
19. 353, Senator Rupp. On the Order of Senate Bills 2nd reading,  
20. Senate Bill 353. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 353.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments.

25. PRESIDENT:

26. Any amendments from the Floor?

27. SECRETARY:

28. Amendment No. 1 offered by Senator Rupp.

29. PRESIDENT:

30. Senator Rupp.

31. SENATOR RUPP:

32. Thank you, Mr. President. What this amendment...the basic  
33. bill is providing for a six percent interest on death payments.

1. And in our committee meeting Senator Berman suggested that to  
2. be some positive wording put in to make sure that the company  
3. would have to notify the beneficiary of the fact that interest  
4. would be paid and that's what this amendment takes care of.  
5. I ask for a favorable roll call.

6. PRESIDENT:

7. Senator Rupp has moved the adoption of Amendment No. 1  
8. to Senate Bill 353. Is there any discussion? All those in  
9. favor signify by saying Aye. All opposed. The Ayes have it.  
10. The amendment is adopted. Are there any further amendments?

11. SECRETARY:

12. No further amendments.

13. PRESIDENT:

14. 3rd reading. 402, Senator Rupp. On the Order of Senate  
15. Bills, 2nd reading, Senate Bill 402. Read the bill, Mr. Secretary.

16. SECRETARY:

17. Senate Bill 402. ,

18. (Secretary reads title of bill)

19. 2nd reading of the bill. The Committee on Local Government  
20. offers one amendment.

21. PRESIDENT:

22. Senator Rupp.

23. SENATOR RUPP:

24. I think it's a committee amendment. I don't...the committee.  
25. Yes, thank you, Mr. President. The committee amendment raised  
26. merely the seven percent interest to an eight percent figure.

27. PRESIDENT:

28. Senator Rupp has moved the adoption of Amendment No. 1  
29. to Senate Bill 402. Is there any discussion? If not, all  
30. those in favor signify by saying Aye. All opposed. The Ayes  
31. have it. The Amendment is adopted. Any further amendments?

32. SECRETARY:

33. No further...no further committee amendments.

DB 419  
2nd reading  
4-24-79

1. PRESIDENT:

2. Any amendments from the Floor?

3. SECRETARY:

4. No Floor amendments.

5. PRESIDENT:

6. 3rd reading. 404, Senator Weaver. On the Order of Senate

7. Bills, 2nd reading, Senate Bill 404. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 404.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor?

14. SECRETARY:

15. No Floor amendments.

16. PRESIDENT:

17. 3rd reading. 414, Senator Bloom. On the Order of Senate

18. Bills, 2nd reading, Senate Bill 419. Read the bill, Mr. Secretary.

19. SECRETARY:

20. Senate Bill 419.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDENT:

24. Any amendments from the Floor?

25. SECRETARY:

26. No Floor amendments.

27. PRESIDENT:

28. 3rd reading. 432, Senator Nash. You wish it held?

29. Senator Nash.

30. SENATOR NASH:

31. Mr. President, Ladies and Gentlemen of the Senate. I

32. move that Amendment 1...

33. PRESIDENT:

1. Well, wait...wait, we're not there yet. Do you wish the
2. bill called?
3. SENATOR NASH:
4. Yes.
5. PRESIDENT:
6. Okay. On the Order of Senate Bills 2nd reading, Senate
7. Bill 432. Read the bill, Mr. Secretary.
8. SECRETARY:
9. Senate Bill 432.
10. (Secretary reads title of bill)
11. 2nd reading of the bill. No committee amendments.
12. PRESIDENT:
13. Any amendments from the Floor?
14. SECRETARY:
15. Amendment No. 1 offered by Senator...Senator Nash, Rock.
16. PRESIDENT:
17. Senator Nash.
18. SENATOR NASH:
19. Amendment 1 to Senate Bill 432, the bill originally was
20. supposed to do with increases of maximum widow's benefits from
21. five hundred dollars to six hundred per month. And that's
22. what this amendment does, it increases the maximum widow's
23. benefits from the present five hundred to six hundred.
24. PRESIDENT:
25. Senator Nash has moved the adoption of Amendment No. 1
26. to Senate Bill 432. Is there any discussion? If not, all those
27. in favor signify by saying Aye. All opposed. The Ayes have it,
28. the amendment is adopted. Any further amendments?
29. SECRETARY:
30. No further amendments.
31. PRESIDENT:
32. 3rd reading. 467, Senator Merlo. 486, Senator Rupp.
33. 489, Senator Ozinga. 50...on the Order of Senate Bills 2nd

1. reading, Senate Bill 489. Read the bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 489.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Appropriations I
6. offers one amendment.
7. PRESIDENT:
8. Senator Ozinga.
9. SENATOR OZINGA:
10. Move the adoption of the committee amendment.
11. PRESIDENT:
12. All right. Senator Ozinga has moved the adoption of
13. Committee Amendment No. 1 to Senate Bill 489. Is there any
14. discussion? All those in favor signify by saying Aye. All
15. opposed. The Ayes have it. The amendment is adopted. Any
16. further amendments?
17. SECRETARY:
18. No further committee amendments.
19. PRESIDENT:
20. Any amendments from the Floor?
21. SECRETARY:
22. No Floor amendments.
23. PRESIDENT:
24. 3rd reading. 504, Senator Chew. 566, Senator Bloom.
25. 586, Senator Regner. On the Order of Senate Bills 2nd reading,
26. Senate Bill 586. Read the bill, Mr. Secretary.
27. SECRETARY:
28. Senate Bill 586.
29. (Secretary reads title of bill)
30. 2nd reading of the bill. No committee amendments.
31. PRESIDENT:
32. Any amendments from the Floor?
33. SECRETARY:
34. No Floor amendments.

1. PRESIDENT:

2. 3rd reading. All right, before we turn to page 4 on  
3. the Calendar, Senator DeAngelis, for what purpose do you  
4. arise?

5. SENATOR DeANGELIS:

6. Mr. President, I rise for the purpose of...personal  
7. privilege.

8. PRESIDENT:

9. State your point, sir.

10. SENATOR DeANGELIS:

11. I would like to introduce in the Gallery, we have the  
12. State Champions of Group Interpretation from Thornwood  
13. High School in the 10th District and Mrs. Evans, their  
14. coach. I'd like to have them please stand and be recognized.

15. PRESIDENT:

16. Will our guests please stand and be recognized by the  
17. Senate. With leave of the Body, while we're on that order  
18. of business, if Representative O'Brien is ready back there.  
19. We are pleased to have with us, speaking of champions, one  
20. of the world's finest, a gentleman from the City of Chicago,  
21. the coach of DePaul's basketball team, the Honorable Ray  
22. Meyer coming up the aisle. Please stand and recognize the  
23. Honorable Ray Meyer. The Chair will recognize and...ascending  
24. order of importance, first Representative O'Brien, with  
25. leave of the Body, then Senator Netsch, Senator Merlo certainly  
26. should be up here and then we'll...have a coach say a word.  
27. Representative O'Brien.

28. REPRESENTATIVE O'BRIEN:

29. President Rock and members of the Senate, it is indeed  
30. a pleasure to have one of the finest basketball coaches in  
31. the history of America. Quite frankly, from the 13th Legis-  
32. lative District and DePaul University down here in Spring-  
33. fiel today to honor him. We passed a resolution by unanimous  
34. recommendation of all of the former Notre Dame graduates

1. in the House of Representatives just recently. It's my  
2. pleasure to be here, Ray Meyer is certainly a personal  
3. friend of mine and he is a great coach and we need more  
4. people like Ray Meyer coaching our young people throughout  
5. America.

6. PRESIDENT:

7. The Chair will yield for purposes of an introduction  
8. to Senator Netsch.

9. SENATOR NETSCH:

10. I didn't realize I was going to have the honor of  
11. introducing Coach Meyer. Baseball, I am perfectly honest  
12. to say, is really my sport, but I have become a basketball  
13. fan, recently, and I think it has to do mostly with DePaul.  
14. The games that all of us, I suspect, saw on television  
15. were the most exciting, inspiring basketball, I think, I  
16. have ever seen in my life and I'm sure that must be true  
17. of all of us. It was a...a team and a coach that did  
18. honor to the game of basketball and of course to the  
19. City of Chicago and the school, the very fine school, that  
20. is represented by them, DePaul, and not least to the 13th  
21. Legislative District. The man who is clearly responsible  
22. for all of that excitement and ninety-nine percent of the  
23. inspiration has been with it a long time and we hope very  
24. much will be with it a long time in the future also. Coach  
25. Meyer.

26. COACH MEYER:

27. Thank you, very much. Senators I'm...I'm honored and  
28. flattered to be here and to receive your applause. It seems  
29. that this has been a year of many rewards or awards for me  
30. and I want to thank all the people, and particularly my  
31. players, who made this possible. But it...you know for many  
32. years we were trying in all these tournaments, but never got  
33. too far. And this year, I can tell you this, walking down the streets in

1. Provo, Utah, when we were about to play Marquette and I...I  
2. was walking down the street and people would stop me and  
3. said, "are you the coach at DePaul," and I said, "yes, I am."  
4. Said, where is DePaul? I said, "that's in Chicago, Illinois."  
5. Oh, you're from Illinois, "yes." Then after we beat Marquette,  
6. and then we went in and played UCLA, we became known as a...a  
7. basketball team or a power and I've been receiving many  
8. accolades and things have happened to me since we returned  
9. from Salt Lake City that I never dreamed possible. I received  
10. over three thousand fan mail or fan letters and wires and I  
11. don't believe it, they were...there were many, many anti-  
12. UCLA fans in California. I received checks...from women, a  
13. hundred dollars, don't put me on your mailing list, I just  
14. enjoyed your win over UCLA. I...we got twenty-nine hundred  
15. dollars from people in California that enjoyed that win.  
16. Oh, I...I just hope that it wasn't a fluke, that we'll be  
17. back next year. I think we have some good recruits. We're  
18. going to represent Illinois very, very well in the future and  
19. we enjoyed the NCA Tournament so much this past year that  
20. we can't wait to go back next year. Thank you.

21. PRESIDENT:

22. Senator Demuzio, for what purpose do you arise?

23. SENATOR DEMUZIO:

24. Thank you, as a matter of personal privilege, I'd like  
25. to address myself to Coach Meyer for a second if I might,  
26. I might say that my seatmate, Dawn Netsch, does a lot of  
27. shooting down here, I'm just trying to get her to score  
28. some points.

29. PRESIDENT:

30. Senator Mitchler, for what purpose do you arise?

31. SENATOR MITCHLER:

32. Mr...Mr. President, on a point of personal privilege.

33. PRESIDENT:

1. State your point, sir.
2. SENATOR MITCHLER:
3. In the Gallery immediately behind me are two students
4. from the University of Illinois, both residents of the 39th
5. Legislative District in Aurora, Maryann Yanker and Robin Lee.
6. They are in the Social Studies Service and they're working
7. part time for the Department of Children and Family Services
8. and I'd like to ask them at this time to rise and be recog-
9. nized by the Senate.
10. PRESIDENT:
11. Will our guests in the Gallery please rise and be recognized.
12. All right. If you'll turn to the top of page 4 on your Calendar,
13. we will again proceed. Senate Bills, 2nd reading. 591, Senator
14. Grotberg. 619, Senator Jeremiah Joyce. 670, Senator Donnewald.
15. Read the bill. On the Order of Senate Bills, 2nd reading, Senate
16. Bill 670. Read the bill, Mr. Secretary.
17. SECRETARY:
18. Senate Bill 670.
19. (Secretary reads title of bill)
20. 2nd reading of the bill. No committee amendments.
21. PRESIDENT:
22. Any amendments from the Floor?
23. SECRETARY:
24. No Floor amendments.
25. PRESIDENT:
26. 3rd reading. All right. On the Order of Senate Bills,
27. 2nd reading, Senate Bill 591. Read the bill, Mr. Secretary.
28. SECRETARY:
29. Senate Bill 591.
30. (Secretary reads title of bill)
31. 2nd reading of the bill. No committee amendments.
32. PRESIDENT:
33. Any amendments from the Floor?

1. SECRETARY:
2. No Floor amendments.
3. PRESIDENT:
4. 3rd reading. 695, Senator Knuppel. On the Order of Senate
5. Bills, 2nd reading, Senate Bill 695. Read the bill, Mr. Secretary.
6. SECRETARY:
7. Senate Bill 695.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendment.
10. PRESIDENT:
11. Any amendments from the Floor?
12. SECRETARY:
13. Amendment No. 1 offered by Senator Knuppel.
14. PRESIDENT:
15. Senator Knuppel.
16. SENATOR KNUPPEL:
17. The amendment specifically provides that should a married
18. couple have split residences that they must split the Home-
19. stead Exemption that's available under this statute. I move
20. the adoption of the amendment.
21. PRESIDENT:
22. Senator Knuppel has moved the adoption of Amendment No. 1
23. to Senate Bill 695. Is there any discussion? If not, all those
24. in favor signify by saying Aye. All opposed. The Ayes have it.
25. The amendment is adopted. Any further amendments.
26. SECRETARY:
27. No further amendments.
28. PRESIDENT:
29. 3rd reading. 707, Senator Sommer. 859, Senator Keats.
30. All right. Back to the top of page 2, Senate Bill on 2nd
31. reading. On the Order of Senate Bills, 2nd reading, Senate
32. Bill 17, Senator Martin. Senate Bill 63, Senator Jerry
33. Joyce. Senate Bill 73, Senator Sangmeister. Senate Bill 106.
34. Senate Bill 137. Senate Bill 147, Senator Berman. Senate Bill

1. 193, Senator Carroll. 193, Senator Carroll. 194, 203, Senator  
2. Sommer. 251, Senator Lemke. 262, Senator Joyce. On the Order  
3. of Senate Bills, 2nd reading, Senate Bill 251. Read the bill,  
4. Mr. Secretary. Fiscal Note has been requested, the Secretary  
5. informs me it has not yet been filed. Senate Bill 262, Senator  
6. Jerome Joyce. 272, Senator Bowers. Senator Bowers...Senator  
7. Bowers.

8. SENATOR BOWERS:

9. Thank you, Mr. President. This bill, due to some things  
10. that happened back in DuPage County is going to need some  
11. amendments to keep faith with the committee. I would like  
12. to re-refer it to Local Government.

13. PRESIDENT:

14. Senator Bowers has moved to re-refer Senate Bill 272  
15. to the Committee on Local Government. All those in favor  
16. signify by saying Aye. All opposed. The Ayes have it. The  
17. bill is re-referred. 331, Senator Walsh. Middle of page 4  
18. on the Calendar, we're on the Order of Senate Bills, 3rd reading.  
19. Senate Bill 5, Senator D'Arco. Senate Bill 10, Senator Sommer.  
20. On the Order of Senate Bills, 3rd reading, Senate Bill 10.  
21. Read the bill, Mr. Secretary.

22. SECRETARY:

23. Senate Bill 10.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDENT:

27. Senator Sommer.

28. SENATOR SOMMER:

29. Mr. President and members, this raises from five hundred  
30. dollars to a thousand, the amount that parents of a child can  
31. be liable when the child commits vandalism of property.

32. PRESIDENT:

33. Is there any discussion? The question is shall Senate

1. Bill 10 pass. Those in favor will vote Aye. Those opposed  
2. will vote Nay. The voting is open. Have all voted who wish?  
3. Have all voted who wish? Take the record. On that question  
4. the Ayes are 53, the Nays are 1, none Voting Present. Senate  
5. Bill 10 having received the constitutional majority is declared  
6. passed. Senate Bill 11, Senator Sommer. On the Order of Senate  
7. Bills, 3rd reading, Senate Bill 11. Read the bill, Mr. Secretary.

8. SECRETARY:

9. Senate Bill 11.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Sommer.

14. SENATOR SOMMER:

15. Mr...Mr. President and members. With the advent of Federal  
16. Legislation and State Legislation concerning ambulances, local  
17. communities are now starting to operate them on a volunteer  
18. basis because of the fact that funeral homes can no longer  
19. do it. This simply extends to those volunteers who engage  
20. in ambulance care, the same exemption from common negligence  
21. as related to the victims as the current statute relates  
22. to volunteer firemen, volunteer policemen and other forms of  
23. volunteers.

24. PRESIDENT:

25. Is there any discussion? Senator Berman.

26. SENATOR BERMAN:

27. Thank you, Mr. President. I just wanted to state for  
28. the record, I've discussed this with the sponsor and it's  
29. my understanding and I believe it's the sponsors understanding  
30. that the immunity or the higher level of proof that's required  
31. for injury is imposed only on the person who's being treated  
32. and not to any third parties. Is that my understanding, Senator  
33. Sommers?

1. PRESIDENT:

2. Senator Sommer.

3. SENATOR SOMMER:

4. Yes, it relates to the liability to a person to whom  
5. such care is provided that's in there.

6. PRESIDENT:

7. Senator Berman.

8. SENATOR BERMAN:

9. Thank you.

10. PRESIDENT:

11. Any further discussion? If not, the question is shall  
12. Senate Bill 11 pass. Those...I beg your pardon, Senator  
13. Martin.

14. SENATOR MARTIN:

15. Senator Sommer, with the Senate amendment, would that  
16. include people who have taken...CPR training and give assistance?  
17. Would that suddenly bring them under this?

18. PRESIDENT:

19. Senator Sommer.

20. SENATOR SOMMER:

21. No, that...the medical end of this is in another statute,  
22. another act. This is the physical conduct end of it, when  
23. they're carrying stretchers and driving the ambulance and doing  
24. things like that.

25. PRESIDENT:

26. Any further discussion? The question is shall Senate  
27. Bill 11 pass. Those in favor will vote Aye. Those opposed  
28. will vote Nay. The voting is open. Have all voted who wish?  
29. Have all voted who wish? Take the record. On that question  
30. the Ayes are 50, the Nays are 3, none Voting Present. Senate  
31. Bill 11, having received a constitutional majority is declared  
32. passed. Senate Bill 12, Senator Sommer. Senate Bill 32,  
33. Senator Keats. Middle of page 4. Do you...do you wish it  
34. called? On the Order of Senate Bills, 3rd reading, Senate Bill

1. 32. Read the bill, Mr. Secretary.
2. SECRETARY:
3. Senate Bill 32.
4. (Secretary reads title of bill)
5. 3rd reading of the bill.
6. PRESIDENT:
7. Senator Keats.
8. SENATOR KEATS:
9. Thank you. Mr. President and Ladies and Gentlemen of the
10. Senate. What Senate Bill 30 do...32 does, is say that if
11. someone commits a second murder, a mass murder or a multiple
12. murder, those are the only three categories covered, the
13. minimum sentence available is life imprisonment. They can
14. be sentenced to nothing less than life. It does not rule
15. out the death penalty, the prosecutor could ask for the
16. death penalty, but if he fails to get it, the minimum sentence
17. is life in prison for mass murders, multiple murders and
18. second murders and I would ask for your favorable consideration
19. ...of the bill. Thank you.
20. PRESIDENT:
21. Is there any discussion? If not, the question is shall
22. Senate Bill 32 pass. Those in favor will vote Aye. Those
23. opposed will vote Nay. The voting is open. Have all voted
24. who wish? Have all voted who wish? Take the record. On
25. that question the Ayes are 49, the Nays are 5, 2 Voting
26. Present. Senate Bill 32 having received a constitutional
27. majority is declared passed. 37, Senator Keats. On the Order
28. of Senate Bills, 3rd reading, Senate Bill 37. Read the bill,
29. Mr. Secretary.
30. SECRETARY:
31. Senate Bill 37.
32. (Secretary reads title of bill)
33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Keats.

3. SENATOR KEATS:

4. Thank you, Mr. President and Ladies and Gentlemen of  
5. the Senate. I would ask your favorable consideration on  
6. this bill. What it says is, if someone sends a candidate  
7. a questionnaire and this is not limited simply to State  
8. candidates. If a candidate receives a questionnaire, number  
9. 1, they have to be told where it will be published, if it  
10. will be published, and also says that if they give you a  
11. fifty word limitation, they cannot edit the fifty words  
12. you write. Now, if you write a thousand words and you got  
13. a fifty word limitation, they can edit, but you...they have  
14. to give you at least fifty words to answer. That's a  
15. problem we've all seen. Someone asks you a question that  
16. might take five pages to answer and you're expected to answer  
17. it in three words. This gives you a minimum of fifty words  
18. to answer and you are then informed whether this questionnaire  
19. will be published and where it will be published. I'd  
20. appreciate your favorable consideration. Thank you.

21. PRESIDENT:

22. Is there any discussion? Senator Wooten. Senator Wooten.

23. SENATOR WOOTEN:

24. Thank you, Mr...thank you, Mr. President. With all  
25. due deference to Senator Keats, I do not see the wisdom of  
26. putting this statute on the books. I...I don't know that  
27. constitutionally it's enforceable. If a newspaper, for example,  
28. sends you a questionnaire, somebody else does, you can't limit  
29. their right to shorten it if they want to. I...I just think  
30. it's so much simpler to refuse to answer the questionnaire,  
31. that I fail to see why we want to put a law on the books. I...  
32. with the press of business and the serious considerations before  
33. us, I just don't think this is something that ought to become

1. law.
2. PRESIDENT:
3. Any further discussion? Senator Rhoads.
4. SENATOR RHOADS:
5. Sorry, Senator Keats, I was trying to get the Digest.
6. What committee did this come through?
7. PRESIDENT:
8. Senator Keats.
9. SENATOR KEATS:
10. Executive Committee, it passed out of the Executive
11. Committee.
12. PRESIDENT:
13. Senator Rhoads.
14. SENATOR RHOADS:
15. Only to echo the remarks made my Senator Wooten. As
16. annoying as it can be for a candidate to have a flood of
17. questionnaires come in. I...I think a candidate can be
18. selective and toss those in the waste basket that he wishes
19. to or she wishes to and...and answer others. I...I don't
20. see any reason why a candidate can't call up the issuing
21. authority and ask...ask them these questions, but to write
22. this into law just seems to be a unnecessary minutiae
23. that doesn't belong in the statutes.
24. PRESIDENT:
25. Further discussion? Senator Berning.
26. SENATOR BERNING:
27. Thank you, Mr. President. I rise in support of this.
28. I've had occasion as many of you have to have received
29. numerous questionnaires. On occasion I have asked by means
30. of a written communication to the firm or individual submitting
31. the questionnaire to please inform me of the results and what
32. purpose the results would be utilized for and I have not had
33. a response. On the other hand, Mr. President and members of

1. the Senate. I think you all know that frequently, if you do  
2. not respond, that is very carefully exposed in a news release  
3. criticizing you for not responding. And it seems to me here  
4. we have a chance to put a little bit of responsibility on  
5. the other side of the fence where it belongs.

6. PRESIDENT:

7. Is there any further discussion? Senator Keats may  
8. close the debate.

9. SENATOR KEATS:

10. Mr. President and Ladies and Gentlemen of the Senate.  
11. What I wanted to stress was the comments both by Senator  
12. Rhoads and Senator Wooten. I'm in a hundred and one percent  
13. agreement with their comments. They are a hundred percent  
14. correct. You do not need to return a questionnaire if  
15. you don't want to. The problem is, sometimes you are asked  
16. to respond to a questionnaire, you give what is...what you  
17. consider a reasonable answer, then it is edited to such form  
18. that either it is not your original answer or it is simply  
19. unintelligible. What this says, is you cannot ask a candidate  
20. regardless of what office to respond in less than fifty words.  
21. I mean the issues that we face today, not simply in Springfield,  
22. but in local government, et cetera. How would you like to try to  
23. explain replacement of Corporate Personal Property...Tax in  
24. two words or less. This simply says you're given fifty words.  
25. That is the only real major change, you cannot be edited to less  
26. than fifty words as long as you stick to that guideline and  
27. leaves you the option without having to call up and ask where  
28. is this questionnaire going, it leaves you the option to find  
29. out what will be done with the questionnaire. You are informed  
30. up front. I'd appreciate your support for this bill that is  
31. simply a clarification of a problem I'm sure everyone has had.  
32. Thank you.

33. PRESIDENT:

1. The question is shall Senate Bill 37 pass. Those in favor
2. will vote Aye. Those opposed will vote Nay. The voting is
3. open. Have all voted who wish? Have all voted who wish? Have
4. all voted who wish? Take the record. Senator Keats.
5. SENATOR KEATS:

6. Put it on postponed, please.

7. PRESIDENT:

8. The sponsor has requested consideration be postponed.

9. So ordered.

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33.

1. Senate Bill 53, Senator Knuppel. Senate Bill 57, Senator  
2. Grotberg. Senate Bill 65, Senator...Senator Grotberg.  
3. Bottom of page four, Senate Bills, 3rd reading. On the Order of  
4. Senate Bills, 3rd reading, Senate Bill 57. Read the bill,  
5. Mr. Secretary.

6. SECRETARY:

7. Senate Bill 57.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Grotberg.

12. SENATOR GROTBORG:

13. Thank you, Mr. President and members of the Senate.

14. Senate Bill 57 amends the State's Attorney's Fee Act

15. for the first time in about forty years, really. And

16. the fee schedule is changed, for instance, for a current

17. law, the misdemeanor fees begin at five dollars, fifteen and

18. thirty. It would now be ten dollars, fifteen and thirty.

19. All other offenses the intitial fee is five dollars to fifteen

20. dollars. This starts it at ten dollars. That's the bulk of the

21. traffic tickets, the income for the local governments that we have

22. all over the State of Illinois. There are many other fee changes,

23. but the volume of tickets is...of the income from this derives

24. from the smaller fees. I might add that this bill was amended

25. to be much stiffer and we took that amendment off and is back

26. where it was. At one point, we had a net revenue effect of

27. forty-six million dollars, State-wide, in this bill. This

28. reverts it back to about half that. Many of these fees have not

29. been changed since 1915 and '16 so that I think it's well overdue.

30. I would be glad to answer to the best of my ability, some of the

31. questions. Some of our former State's Attorneys around here can

32. help me with that if they would. I would ask for a favorable

33. roll call.

1. PRESIDENT:

2. Is there any discussion? If not, the question is shall Senate  
3. Bill 57 pass. Those in favor will vote Aye. Those opposed will  
4. vote Nay. The voting is open. ...voted who wish? Have all  
5. voted who wish? Take the record. On that question the Ayes  
6. are 50, the Nays are 1, 1 Voting Present. Senate Bill 57 having  
7. received a constitutional majority is declared passed.  
8. 65, Senator Jerome Joyce. 84, Senator Davidson. On the Order of  
9. Senate Bills, 3rd reading, Senate Bill 84. Read the bill,  
10. Mr. Secretary.

11. SECRETARY:

12. Senate Bill 84.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Davidson.

17. SENATOR DAVIDSON:

18. Mr. President and members of the Senate. This bill has been  
19. amended to take the objections that individuals in the motel - hotel -  
20. restaurant business had to it and also those gas stations who  
21. legitimately were selling groceries along with the gas and the  
22. liquor. We amended this bill in committee and those people who  
23. ...objection withdrew their objection. What this bill now does  
24. is three things, it would prevent the gas station who is just selling  
25. gas and booze as we had here and I walked out of a restaurant and  
26. saw a gas station attendant carry a six pack out to the guy  
27. sitting in the car while he was getting gasoline. It will prohibit  
28. that. Secondly, it will not apply to any home rule unit and any  
29. person who has any liquor stock on hand, will have until January  
30. 1 'cause the effective date will be January 1, 1980, so there will be  
31. no hardship on anyone. Anybody who is in legitimate business...  
32. the motel - hotel - restaurant or selling groceries along with it  
33. will not be affected. I appreciate a favorable vote.

1. PRESIDENT:

2. Is there any discussion? Senator Mitchler.

3. SENATOR MITCHLER:

4. I'd like to ask the sponsor a question.

5. PRESIDENT:

6. Sponsor indicates he will yield. Senator Mitchler.

7. SENATOR MITCHLER:

8. Senator Davidson, if there is just a service station  
9. that dispenses motor fuel but it's a self service station  
10. and in the place that you come in to pay your bill, they  
11. also sell bread, milk, beer, wine, liquor, will this bill  
12. affect that establishment?

13. PRESIDENT:

14. Senator Davidson.

15. SENATOR DAVIDSON:

16. No, it will not. That's what I explained what the amendment  
17. did in committee, that if they are going to sell bread and  
18. groceries and foodstuffs and et cetera, this bill will not apply  
19. to them.

20. PRESIDENT:

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Well, you had a good bill when you started out, Senator.  
24. And I almost rose to join in sponsorship. But you have a nothing  
25. bill now because everybody got to it and got their amendment on  
26. and that's exactly it. The hotel, as you said, the amendment took  
27. care of everybody that was opposed to it. Now, look at the bill  
28. as amended. It's a nothing bill. Now, north of Oswego on Route  
29. 25, there's a new service station, recently installed, completely  
30. self service and when you go in to pay your bill, you can buy  
31. everything from hard liquor to beer, to wine, bread, milk, everything  
32. and if you want this to continue and this bill allows that to  
33. continue. So, when your bill originally started out, it would not allow  
that. It knocked it out. ...we had a hold up there and had the

1. Deputy Sheriff shoot one of the fellows and kill them and wounded  
2. the other one just recently. Now, what...what your bill started  
3. out had good intentions. And what it is now, it's a nothing  
4. bill, Senator, and I'm sorry to have to say to rise to this, but  
5. it amazes me how you accepted the pressure of the special interest  
6. groups to amend your bill into a nothing bill. Read the bill, vote  
7. No.

8. PRESIDENT:

9. Further discussion? Senator Wooten.

10. SENATOR WOOTEN:

11. Thank you, Mr. President. Senator Mitchler covered some of the  
12. same ground, but I'm just curious, Senator Davidson. Is there  
13. an establishment in this State that just sells gasoline and liquor?

14. PRESIDENT:

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Yes, there is. Right out on South 6th Street in Springfield,  
18. Illinois.

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Well, I share some of Senator Mitchler's feelings that this  
23. ought to be more broadly applicable. That, in other words, if you  
24. are going to sell milk and bread, then you will be able to sell  
25. liquor as well. But, if you can point out at least one establishment  
26. that will come under the purview of this bill, why then I will  
27. support you. But I, too, regret that it has been diluted to the  
28. extent it has been by the amendment.

29. PRESIDENT:

30. Further discussion? Senator Vadalabene.

31. SENATOR VADALABENE:

32. Yes, just briefly, Senator Davidson. Senator Wooten alluded  
33. to also what I was going to say. All I guy has to do now is get, you

1. know, a dozen boxes of crackers and he's selling crackers and booze.  
2. You know, now he's in the grocery store business. I really think  
3. the guy on South 6th Street, if there's someway that the  
4. county board member or somebody here in Springfield can rap  
5. his knuckles, maybe that ought to be the way to do it, but I don't  
6. think this type of legislation will hold up in court and I don't  
7. think you can enforce it because he can come in there any day  
8. with a handful of groceries and then he would be legitimate.  
9. PRESIDENT:  
10. Further discussion? Senator Coffey.  
11. SENATOR COFFEY:  
12. Question of the sponsor.  
13. PRESIDENT:  
14. Indicates he will yield. Senator Coffey.  
15. SENATOR COFFEY:  
16. Did I understand you correctly to say this did not  
17. ...home rule amendments was not in this bill now? The home rule...  
18. PRESIDENT:  
19. Senator Davidson.  
20. SENATOR DAVIDSON:  
21. That's correct.  
22. PRESIDENT:  
23. Senator Coffey.  
24. SENATOR COFFEY:  
25. What was your reason for eliminating them, don't they have the  
26. same problem that the other communities have?  
27. PRESIDENT:  
28. Senator Davidson.  
29. SENATOR DAVIDSON:  
30. Well, I put the bill in in request from the Sangamon County  
31. Board which was ordered by the court to issue three liquor licenses  
32. so you people who are listening and is complaining about a nothing  
33. bill, please listen. If you would have been in committee,

1. I wouldn't have had to accept these amendments and we would have  
2. passed it out where it would have prohibited it. But the  
3. biggest part was this...the court infringed on the power of the  
4. county board who had rejected these licenses, the fact they didn't  
5. have an ordinance saying they should reject them, the court  
6. then ordered them. They did...able to cut it down to three because  
7. they quickly passed an ordinance that limited it to three.  
8. Home rule units were not included, because the greatest home  
9. rule unit in the State of Illinois already has an ordinance.  
10. The City of Chicago prohibits alcoholic beverages  
11. for sale in gas stations anywhere. And if any of you want  
12. to give me enough votes and...frankly didn't have the votes to get  
13. it out of committee unless we accepted these changes, so  
14. if you guys really want to make it a tough bill, talk to the members  
15. of the committee and we'll be glad to amend the bill in the House.

16. PRESIDENT:

17. Further discussion? Senator Buzbee.

18. SENATOR BUZBEE:

19. I...I thought I was going to get my question answered with  
20. the last question from Senator Coffey, but I'm more confused than  
21. ever now. Do we, in fact, put...have the home rule amendment on  
22. which says that...okay. So, it will take an extraordinary  
23. majority then because we are preempting home rule authority,  
24. is that correct?

25. PRESIDENT:

26. Senator Davidson.

27. SENATOR DAVIDSON:

28. No, this does not apply to the home rule units, so it only  
29. takes a simply majority.

30. PRESIDENT:

31. Senator Buzbee.

32. SENATOR BUZBEE:

33. Well, if it does not apply, then is not Springfield a home rule

1. unit?
2. PRESIDENT:
3. Senator Davidson.
4. SENATOR DAVIDSON:
5. The City of Springfield is but Sangamon County is not.
6. And the gas station I refer to is in the unincorporated area.
7. PRESIDENT:
8. Further discussion? Senator Philip.
9. SENATOR PHILIP:
10. Will the sponsor yield for a question?
11. PRESIDENT:
12. Indicates he will yield. Senator Philip.
13. SENATOR PHILIP:
14. Yes. Senator Davidson, am I to believe that if, under your
15. bill in the present form, that if you operated a gas station and
16. are selling liquor now, that after this bill passed, you also
17. have to sell some kind of a fobd commodity, bread, milk, ice
18. cream, snacks, et cetera, and then you could continue to sell
19. liquor and beer?
20. PRESIDENT:
21. Senator Davidson.
22. SENATOR DAVIDSON:
23. That's correct.
24. PRESIDENT:
25. Senator Philip.
26. SENATOR PHILIP:
27. Senator Davidson, I want to be for you and want to vote for your
28. bill, but I would suggest this to you that within one or two days
29. that person who is selling liquor could call up the Hostess Cake man
30. or a local dairy and have cake or dairy goods in his gas station
31. within...within two days. And consequently, you're not going to
32. accomplish what you're trying to do. Now, what I would humbly suggest
33. for you to do, take this thing back to 2nd reading and take off  
those amendments and I think you could pass that bill very honestly.

1. PRESIDENT:  
2. Is there any further discussion? Senator Davidson may close  
3. the debate.  
4. SENATOR DAVIDSON:  
5. Mr. President, with all this information being given to me  
6. and the fact that I made the commitment to the committee that the  
7. amendment went on, if you want to resolve at that, under the  
8. circumstances of all the information given to me, please  
9. take it out of the record.  
10. PRESIDENT:  
11. Take it out of the record. Senate Bill 88, Senator Knuppel.  
12. 98, Senator Sangmeister. On the Order of Senate Bills, 3rd reading,  
13. Senate Bill 98. Read the bill, Mr. Secretary.  
14. SECRETARY:  
15. Senate Bill 98.  
16. (Secretary reads title of bill)  
17. 3rd reading of the bill.  
18. PRESIDENT:  
19. Senator Sangmeister.  
20. SENATOR SANGMEISTER:  
21. Thank you, Mr. President and members of the Senate. If you  
22. recall a couple of weeks ago, we passed out of here a bill  
23. at the Secretary of State's request concerning falsification of  
24. driver's licenses. This is in some respects, a companion bill  
25. as far as the identification card is concerned. If you recall in  
26. 1975, we authorized the Secretary of State to issue an identification  
27. card, specifically those people who don't drive, and there's also  
28. been from the Secretary's Office informs me, has been some attempt  
29. to duplicate and issue a similar card and this bill does three  
30. things. Number one, it transfers the funds from...received from the  
31. issuance of this card, from the General Revenue Fund to the Road  
32. Fund. That's one thing it does. Second, it allows handicapped persons  
33. to receive this kind of a card without any fee and the third thing  
it does is it makes a Class B misdemeanor for any person to duplicate,

1. manufacture or sell any identification card which purports to the  
2. official identification card issued under this Act by the  
3. Secretary of State. It's not all that difficult. I think it's  
4. good law. I would appreciate a favorable roll.

5. PRESIDENT:

6. Any discussion? Senator Rhoads.

7. SENATOR RHOADS:

8. Question of the sponsor.

9. PRESIDENT:

10. Sponsor indicates he will yield. Senator Rhoads.

11. SENATOR RHOADS:

12. Senator Sangmeister, was this the bill that was amended  
13. yesterday and I spoke to you about?

14. PRESIDENT:

15. Senator...

16. SENATOR SANGMEISTER:

17. I don't recall when it was amended. There was a committee  
18. amendment that was adopted. I don't remember what it...

19. PRESIDENT:

20. Senator Rhoads.

21. SENATOR SANGMEISTER:

22. I'm sorry.

23. PRESIDENT:

24. Senator, let's...one at a time. Senator Rhoads.

25. SENATOR RHOADS:

26. Was the committee amendment put on yesterday by you?

27. PRESIDENT:

28. Senator Sangmeister..

29. SENATOR SANGMEISTER:

30. It could very well, but I'm sorry. Time escapes me in this  
31. process and it...but there was only one committee amendment and that  
32. was the one that was put on, yes.

33. PRESIDENT:

Any further discussion? If not, the question is shall Senate Bill

1. 98 pass. Those in favor will vote Aye. Those opposed will vote  
2. Nay. The voting is open. Have all voted who wish? Have all  
3. voted who wish? Take the record. On that question the Ayes  
4. are 54, the Nays are none, none Voting Present.  
5. Senate Bill 98 having received a constitutional majority is  
6. declared passed. Senator Demuzio, for what purpose do you arise?  
7. SENATOR DEMUZIO:

8. Yes, I'd like the record to reflect that had I been on the Floor  
9. I would have voted in the...in the positive on Senate Bill 98.

10. PRESIDENT:

11. The Journal will so reflect. 99, Senator Schaffer.  
12. On the Order of Senate Bills, 3rd reading, Senate Bill 99. Read the  
13. bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 99.

16. (Secretary reads title of bill)  
17. 3rd reading of the bill.

18. PRESIDENT:

19. Senator Schaffer.

20. SENATOR SCHAFFER:

21. Mr. President, this bill simply provides that after the  
22. primary election and the convention that elects the downstate  
23. Republican and Democratic County Chairmen, that they have the  
24. prerogative to appoint someone from without the precinct to fill a  
25. vacancy. I have here the lists of party committeemen in downstate  
26. Illinois of both parties and it's a sad fact that both parties  
27. have a huge number of vacancies in the precinct committeemen's  
28. positions. This bill simply would allow both parties  
29. to fill those vacancies after the primary with someone who did not  
30. reside in the precinct. It would also mean that if anyone in that  
31. precinct wanted to be a committeemen, all they needed was one  
32. write in vote in their respective Democratic or Republican primary.  
33. This bill has cleared this Body once before, thanks in part to your

1. help, Mr. President and cleared the Senate Elections Committee  
2. without a dissenting vote. Appreciate a favorable roll call.  
3. I'd be happy to answer any questions.

4. PRESIDENT:

5. Is there any discussion? Senator Kenneth Hall.

6. SENATOR HALL:

7. Will the sponsor yield to a question?

8. PRESIDENT:

9. Indicates he will yield. Senator Hall.

10. SENATOR HALL:

11. I want to follow you very closely. Does this...this just  
12. applies to downstate? Well, why is it just downstate?

13. PRESIDENT:

14. Senator Schaffer.

15. SENATOR SCHAFFER:

16. Because in Cook County they have a different system and they  
17. elect a ward and township committeemen who appoint the individual  
18. precinct captains. It's a whole different system in there.

19. PRESIDENT:

20. Senator Hall.

21. SENATOR HALL:

22. Well, Senator, I think this is a bad practice. It's...to take  
23. someone who does not live in an area and place them in this position,  
24. certainly that...I was a committeeman for almost thirty years and  
25. there was never any problem of finding anyone to fill the committee.  
26. I think that anyone who would really want to could find someone to  
27. serve that. If it's bad for...for our...if it's not good  
28. for the rest of the State, I don't see why it should be for downstate.  
29. I'm opposed to this.

30. PRESIDENT:

31. Further discussion? Senator Rhoads.

32. SENATOR RHOADS:

33. Thank you, Mr. President. I rise in support of the bill. In  
answer to Senator Hall, Senator, I have a district which includes

1. parts of both Cook and DuPage County, the two different systems  
2. that Senator Schaffer alluded to and the alternative to this bill  
3. is having a vacancy and having that vacancy continuing. Yes, you  
4. can appoint somebody but that individual cannot have full  
5. participation, voting participation and so forth. It's good legislation  
6. and it's passed the Senate before and we ought to pass it again.

7. PRESIDENT:

8. Further discussion? Senator Wooten.

9. SENATOR WOOTEN:

10. I just want to ask the sponsor a question. You said this  
11. passed last time. Did it not, in fact, fail?

12. PRESIDENT:

13. Senator Schaffer.

14. SENATOR SCHAFFER:

15. It...it did, in fact, fail on one occasion, on another  
16. occasion it has passed. I think the reasons did not necessarily  
17. involve the merits of the particular proposal. There were other  
18. implications and eventually, the leadership on your side of the  
19. aisle saw the merits of the bill and were very supportive for which  
20. I have been very grateful.

21. PRESIDENT:

22. Senator Wooten.

23. SENATOR WOOTEN:

24. I don't remember the deal. What is involved here, quite  
25. frankly, is the power to register voters. I put through the  
26. legislation that enabled precinct committeemen to register  
27. voters. That is a very important consideration. And I...I'm not  
28. sure that I, at this stage, will endorse this position. I  
29. believe I opposed it last time and it...I would rather keep  
30. the party under the obligation of trying to raise the precinct  
31. committeemen in their own area. You have, I will admit,  
32. made the appointive power after the election of the chairmen  
33. which is a crucial point. But the thing that concerns me is

1. once things are in place, they tend to go on and on and on.

2. And that person from...not in that precinct could very easily

3. just stay there and be voting the next time around. The

4. concept bothers me, Senator.

5. PRESIDENT:

6. Further discussion? Senator Joyce.

7. SENATOR JEROME JOYCE:

8. Yes, thank you, Mr. President. Question of the sponsor.

9. PRESIDENT:

10. He indicates he will yield. Senator Joyce.

11. SENATOR JEROME JOYCE:

12. Yes, Senator Schaffer, what is the...the cutoff date that  
13. the county chairmen may appoint this person so that he may or may  
14. not vote in the convention?

15. PRESIDENT:

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Senator Joyce, it's very simple. The county chairmen can  
19. appoint these people to fill the position after he is elected  
20. at the convention. They serve until the next primary. If no one  
21. runs in the precinct, then the precinct is empty till the  
22. county convention then the county chairmen, maybe the same  
23. gentlemen, someone else, is elected and then that person  
24. has a right. This would not empower that committman  
25. to participate in the selection of county chairmen. We worded that  
26. because, frankly, we...what I am trying to do is strengthen the  
27. two party system in this State by allowing more people  
28. to participate within the structure of the two party  
29. system. And not to allow a county chairman promote his less  
30. commendable, if you will, to pack a central committee. This would  
31. not, in any way, help anybody get elected county chairman.

32. PRESIDENT:

33. Further discussion? Senator Joyce.

1. SENATOR JOYCE:

2. After the primary, then, is when he can appoint the...

3. PRESIDENT:

4. Senator Joyce.

5. SENATOR JOYCE:

6. Question of the sponsor. After the primary, is that when  
7. he appoints?

8. PRESIDENT:

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. No, you have the primary and then by law, two weeks later,  
12. the central committee meets and elects a county chairman. After  
13. that convention the newly elected county chairman would have  
14. this appointment power. And that would also mean after no one  
15. has had enough interest in that precinct to go out  
16. and vote in the primary and cast one write in vote. That's the  
17. only time this would apply.

18. PRESIDENT:

19. Senator Joyce.

20. SENATOR JOYCE:

21. Yeah, but that's...that's fine, but how...can he still appoint  
22. one now? And when...today he could still appoint one and that person  
23. could vote in the next...they would have to be reelected?

24. PRESIDENT:

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. If they live in the precinct and if they sought re-  
28. election.

29. PRESIDENT:

30. Further discussion? Senator Mitchler.

31. SENATOR MITCHLER:

32. Mr. President and members of the Senate. The system that  
33. we now have is a system whereby we elect the precinct committeemen  
or committeewomen. If in a precinct, no one files or no one is

1. elected by virtue of a write in vote, that precinct has a  
2. vacancy on that county central committee, whether it be  
3. Republican or Democrat in that precinct. The chairman of the  
4. central committee has the authority to appoint someone from that  
5. precinct to fill the vacancy. It's usually done with the approval  
6. of the central committee in their regular meeting. Now, I think  
7. that system is satisfactory and protects any skullduggery  
8. or what you may call it, on the part of a county chairman or a  
9. central committee from going into precincts and having appointed  
10. someone to be the precinct committeeman or committeewoman  
11. from a precinct that does not reside in that precinct.  
12. That doesn't mean that the person that's appointed under this  
13. Act, if it was passed, would work the precinct at election time.  
14. It would mean that when you have a State convention, that county  
15. chairman could troop down to the convention with all of these  
16. appointees and have full voting power of those precinct committeemen  
17. in convention. Now, this is the way I interpret this. And I  
18. think that our system is good and if a precinct doesn't want to  
19. elect a precinct committeeman or committeewoman to represent  
20. them, that's their prerogative. If a county chairman and the  
21. county central committee doesn't want to fill that vacancy,  
22. that's their prerogative. You don't have to baby and pussyfy  
23. all of these people into getting them out to vote. If they don't  
24. want to vote, they don't have to vote. The City of Aurora up there  
25. in the primary election this year had 5.87 percent of the registered  
26. voters turn out to vote. To me, it's a disgrace, but if that's  
27. the way the people in the City of Aurora want to do it,  
28. that's up to them. That's their privilege to vote or not to vote.  
29. And I don't think that we ought to have precinct committeemen  
30. mandated by appointment outside of the precinct in which they  
31. serve. They should know their neighbors and they should  
32. work their precinct and if a committeeman...organization can't do  
33. that and get people elected, they shouldn't be by appointment.

1. PRESIDENT:  
2. Further discussion? Senator Philip.
3. SENATOR PHILIP:  
4. Thank you, Mr. Speaker. I guess I'm confused at this point,  
5. Senator Schaffer and...and maybe you can...can clear my mind.  
6. Under your bill, if you would appoint somebody who lives outside  
7. of the precinct, could that precinct committeeman then, vote  
8. at a county convention to elect the county chairman?  
9. Well, that's what I thought. Okay.
10. PRESIDENT:  
11. Senator Schaffer.
12. SENATOR SCHAFFER:  
13. No.
14. PRESIDENT:  
15. Senator Philip.
16. SENATOR PHILIP:  
17. Well, I would just suggest this. As you know, I am a  
18. county chairman. We have five hundred and forty precincts.  
19. We normally end up with maybe eight or ten vacancies before  
20. the primary or November election and I have on my own authority,  
21. appointed people, temporarily, to work those precincts and gave  
22. them the so called credentials. I don't see anything wrong with  
23. it. My Democrat counterpart, very honestly, has about two hundred  
24. vacancies and he does it all the time and if we could let them  
25. appoint them from Missouri and he couldn't fill up all his  
26. precincts.
27. PRESIDENT:  
28. Senator Grotberg.
29. SENATOR GROTBORG:  
30. Question of the sponsor.
31. PRESIDENT:  
32. Indicates he will yield. Senator Grotberg.
33. SENATOR GROTBORG:  
On that same vein, Senator Schaffer, is there anything in this

1. bill because I can't...I don't have the Digest, can we continue  
2. if we appoint someone within the precinct, he can vote at the  
3. county convention?

4. PRESIDENT:

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. Well, it goes without saying that if no one runs and  
8. no one writes themselves in, I...if most county chairman would  
9. first try and talk somebody within the precinct to run. I think  
10. Senator Philip has hit the nail on the head. It just so happens  
11. in each county for each party, there are a few precincts where  
12. there is just nobody there who cares one way or the other  
13. that will lift a hand and then need this type of a tool to fill  
14. the vacancy. Obviously, if you can find somebody who lives in the  
15. precinct, that's your first choice.

16. PRESIDENT:

17. Senator Grotberg.

18. SENATOR GROTBORG:

19. But you're not preempting appointees from voting at the  
20. convention, except if they don't live in the precinct.

21. Thank you.

22. PRESIDENT:

23. Further discussion? Senator Geo-Karis.

24. SENATOR GEO-KARIS:

25. Wonder if...would you consider an amendment to your bill  
26. where you would select someone from an adjoining precinct?  
27. There's four sides to a precinct, because the way your bill reads now,  
28. someone from another district can be appointed, for example,  
29. to be a precinct committeeman or committeewoman in...in my  
30. district, for example. I think it's a little broad, Senator Schaffer.  
31. I'm wondering if you would consider an amendment like that.

32. PRESIDENT:

33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. It's limited to within the county, obviously.

3. You know, I think that probably in most cases, there...each  
4. precinct is surrounded by three or four other ones. I would  
5. not have any real problems with that type of an amendment.  
6. If that would, you know, make this bill more attractive to  
7. more people, I'd be happy to do it. All I'm really trying to do  
8. is, you know, let some of the people that don't happen to live  
9. in a precinct that want to be interested, and we can't find  
10. someone...do some work. I don't know if there's...if that  
11. ...if that type of an amendment makes the bill more attractive to more  
12. people, would certainly consider it in the House.

13. PRESIDENT:

14. Further discussion? Senator Bowers. Any further discussion?  
15. If not, Senator Schaffer may close the debate.

16. SENATOR SCHAFFER:

17. Well, I think the bill has been complicated in the debate.  
18. It's basically a very simple thing that a certain number of  
19. precincts, probably a very small number of precincts in each  
20. area, there is, in fact, no one willing to serve as either  
21. Democrat or Republican committeemen. This bill would broaden  
22. the power of the county chairman after the convention, where...so  
23. no games can be played, to...to make the two party system more  
24. viable, to allow more people to participate in it. It is supported  
25. by both the Democratic and Republican County Chairmen's  
26. Associations. I think it's a good bill and it would be a step  
27. in the right direction. I would appreciate a favorable roll call.

28. PRESIDENT:

29. The question is shall Senate Bill 99 pass. Those in favor will  
30. vote Aye. Those opposed will vote Nay. The voting is open.  
31. Have all voted who wish? Have all voted who wish? Take the  
32. record. On that question the Ayes are 38, the Nays are 9, 1  
33. Voting Present. Senate Bill 99 having received a constitutional

1. majority is declared passed. 104, Senator Philip. 108, Senator  
2. Schaffer. On the Order of Senate Bills, 3rd reading, Senate  
3. Bill 108. Read the bill, Mr. Secretary.  
4. SECRETARY:  
5. Senate Bill 108.  
6. (Secretary reads title of bill)  
7. 3rd reading of the bill.  
8. PRESIDENT:  
9. Senator Schaffer.  
10. SENATOR SCHAFFER:  
11. Mr. President, this is, I think, a much less controversial  
12. bill and I...simply put, it would allow on an optional basis  
13. a municipality to enter into an agreement with a parking...  
14. shopping center or apartment complex or other  
15. governmental unit to...to put some teeth in the handicap  
16. parking law and provide a five dollar fine. As amended in the  
17. Senate Transportation Committee, it now includes Senator Sangmeister's  
18. Senate Bill 75 which would provide a decal or window device  
19. for those handicapped people who perhaps do own own a car, but  
20. use someone else's care in transportation. It's, I think, a good  
21. bill. It's an optional bill. It doesn't force anybody to do anything.  
22. I believe it has the support of the Secretary of State's Office,  
23. the Department of Transportation and I think it's...it merits  
24. your support.  
25. PRESIDENT:  
26. Is there any discussion? Senator Wooten.  
27. SENATOR WOOTEN:  
28. Just briefly in support of the bill. I would like to be added  
29. as a cosponsor, Senator.  
30. PRESIDENT:  
31. Heard the request. Is leave granted? So ordered. Any further  
32. discussion? Senator Savickas.  
33. SENATOR SAVICKAS:  
Yes, if I remember correctly, there was a question on the permit

1. that this is a transferable permit to put in any car, that it means  
2. that if your aunt is handicapped and disabled, she has this permit  
3. and you can put it in your car or someone else's car and wouldn't  
4. even know if she is with you using this permit.

5. PRESIDENT:

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. The...the Act, as amended, requires that the handicapped  
9. person be transported in the car to be able to use the handicapped  
10. parking area. If you have any further questions, I'd be happy  
11. to defer to Senator Sangmeister.

12. PRESIDENT:

13. Further discussion? Senator Savickas.

14. SENATOR SAVICKAS:

15. Yes, there are a couple of further questions. One, how do  
16. we know if the handicapped person is in the car and what is the  
17. penalty for abuse of this privilege?

18. PRESIDENT:

19. Senator...Senator Schaffer.

20. SENATOR SCHAFFER:

21. Senator Sangmeister, please.

22. PRESIDENT:

23. Senator Schaffer yields to Senator Sangmeister.

24. SENATOR SANGMEISTER:

25. Yes, Mr. President and members. Obviously, everytime we  
26. attempt to do something there's always a chance, Senator Savickas,  
27. that there's going to be...somebody is going to abuse the privilege.  
28. The problem that we have now is the only way that you can use  
29. those spaces is you have to own the car, then of course, you can  
30. get plates because you own it, okay. Or if a member of your family  
31. owns the car. Now, there are a number of handicapped people who  
32. do not own a car and do not have anybody in their family that  
33. owns a car, but would like to have the next door neighbor  
take them to the grocery store and obviously would like to make use

1. of that handicapped space because they are a handicapped person.  
2. I'll grant you, whatever this decal or window visor or  
3. whatever it may be, will be transferable and can be  
4. abused. There's just no question about that. Hopefully, on behalf  
5. of the handicapped people that if...if you are handicapped and  
6. got one of those devices, you're not going to abuse it because if  
7. it is, it's going to be taken away from you eventually.  
8. So, you know, to answer your question, it is subject to  
9. an abuse. We hope that the handicapped people will realize  
10. that and not let it be abused against them.

11. PRESIDENT:

12. Any further discussion? Senator Schaffer may close the debate.

13. SENATOR SCHAFFER:

14. Roll call.

15. PRESIDENT:

16. The question is shall Senate Bill 108 pass. Those in favor  
17. will vote Aye. Those opposed will vote Nay. The voting is open.  
18. Have all voted who wish? Have all voted who wish? Take the record.  
19. On that question the Ayes are 54, the Nays are none, none  
20. Voting Present. Senate Bill 108 having received a constitutional  
21. majority is declared passed. 114, Senator Knuppel. The hour of  
22. 1:45 has arrived. I know we're all anxious to get to the 2:00  
23. o'clock committees. We will, with leave of the Body, stop at this  
24. point and pick it up at Senate Bill 115 and proceed forward.  
25. Senator Vadalabene, for what purpose do you arise?

26. SENATOR VADALABENE:

27. Yes, do you want to go to Executive?

28. PRESIDENT:

29. I think we could probably...

30. SENATOR VADALABENE:

31. It will only take me a couple of minutes.

32. PRESIDENT:

33. Sure. Senator Shapiro, is that...leave granted to go to the  
Order of...resolve ourselves into Executive Committee for the purpose

1. of confirming some gubernatorial appointments?

2. Committee Reports.

3. SECRETARY:

4. Senator Vadalabene, Chairman of the Committee on Executive  
5. Appointments and Administration to which were referred

6. the Governor's Message to the Senate of April the 18th, 1979,

7. reported the same back with the recommendation that the Senate

8. advise and consent to the following appointments.

9. PRESIDENT:

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Yes, Mr. President and members of the Senate. I would move that

13. the Senate resolve itself into Executive Session for the purpose

14. of acting on the Governor's appointments set forth in the

15. Governor's Message of February 6th and April 18th, 1979.

16. PRESIDENT:

17. You've heard the motion. All those in favor signify

18. by saying Aye. All opposed. The Ayes have it. The Senate is now

19. in Executive Session. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Yes, thank you, Mr. President. With respect to the Governor's

22. Messages of February 6th and April 18, 1979, I will read the names

23. of the salaried appointments that the Committee on Executive

24. Appointments and Administration recommends that the Senate advise

25. and consent to and after reading the names, I intend to ask leave

26. to consider all of the salaried appointments on one roll call

27. unless any Senator has objections to any particular name.

28. To be Assistant Director of the Department of Personnel for a term

29. expiring January 19th, 1981, David B. Hardwick of Rochester.

30. To be the Director of the Department of Veterans Affairs

31. for a term expiring January 19, 1981, James R. Washburn of

32. Morris. And to be the Assistant Director to the Department of

33. Veterans Affairs for a term expiring January 19, 1981, George

E. Bailey of Springfield. Will you put the question before the Senate,

1. Mr. President.

2. PRESIDENT:

3. Question is does the Senate advise and consent to the  
4. nominations just made. Those in favor will vote Aye. Those  
5. opposed will vote Nay. The voting is open. Have all voted who wish?  
6. Have all voted who wish? Take the record. On that question the  
7. Ayes are 55, the Nays are none, none Voting Present. A majority  
8. of the Senators elected concurring by record vote, the Senate  
9. does advise and consent to the nominations just made.

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Mr. President and members of the Senate. With respect to the  
13. Governor's Messages of February 6th and April 18, 1979, I will  
14. read the names of the unsalaried appointments to that...that the  
15. Committee on Executive Appointments and Administration recommends  
16. that the Senate advise and consent to. And after reading the  
17. names, I intend to ask leave to consider all of the unsalaried  
18. appointments on one roll call unless any Senator has objection to  
19. any particular name. To be members of the Health Facilities  
20. Planning Board for terms indicated, John M. Stagl of  
21. Glenview, term expires June 30th, 1980, Pam R. Taylor  
22. of Danville, term expires June 30th, 1981, John F. Wayland  
23. of LaSalle, term expires June 30th, 1981, Donovan F. Gardner  
24. of Pontiac, term expires June 30th, 1980, C. Jonathan Shattuck  
25. of Wilmette, term expires June 20th, 1979, Marjorie E.  
26. Albrecht of Princeton, term expires June 30th, 1979,  
27. Nancy B. Jefferson of Chicago, term expires June 30th, 1981,  
28. and Philip R. Lescohier of Clarendon Hills, term  
29. expiring June 30th, 1979, James E. Mann of Chicago, term  
30. expiring June 30th, 1981, Harry S. Kurshenbaum of Chicago,  
31. term expires June 30th, 1979, and Joseph C. Mudd of Peoria  
32. term expires June 30th, 1979.

33. PRESIDENT:

Yes, Senator Bruce.

1. SENATOR BRUCE:

2. At the appropriate time, Mr. Chairman, or Mr. President, I  
3. would like to have the name of Mr. James E. Mann separated  
4. from that list, whatever...whenever time that motion is  
5. appropriate.

6. PRESIDENT:

7. I think that motion is now appropriate. You've heard the  
8. motion. All those in favor signify by saying Aye. All opposed.  
9. The Ayes have it. Mr. Mann's name will be on a subsequent  
10. roll call. Question is does the Senate advise and consent to the  
11. nominations just made. Those in favor will vote Aye. Those  
12. opposed will vote Nay. The voting is open. Have all  
13. voted who wish? Have all voted who wish? Take the record. On  
14. that question the Ayes are 56, the Nays are none, none Voting  
15. Present. A majority of the Senators elected concurring by  
16. record vote, the Senate does advise and consent to the nominations  
17. just made. Senator Vadalabene.

18. SENATOR VADALABENE:

19. Yes, now we come to the question to be a member of the  
20. Health Facilities Planning Board, a request of a separate roll call  
21. for Mr. James E. Mann of Chicago, his term expires June 30th,  
22. 1981. Will you put the question before the Senate, Mr. President.

23. PRESIDENT:

24. The question is does the Senate advise and consent to the  
25. nomination just made. Is there any discussion? Senator Buzbee.

26. SENATOR BUZBEE:

27. Yes, thank you, Mr. President. Mr. President, I am  
28. told that this gentleman is listed by the Governor's Office as  
29. an Independent, yet he holds the office of National Chairman  
30. of the Republican caucus. Now, I've got nothing against  
31. Republicans. Some of my best friends are Republicans.  
32. But I like for them to...I won't go on with the other last line of  
33. that, but I would like for them to call themselves Republicans

1. and we call ourselves Democrats and as I recall in the previous  
2. administration, the other side of the aisle took great exception  
3. to several appointments of the previous Governor because of  
4. ...he called the people Independents when, in fact,  
5. they thought that they were Democrats. Now, this Gentlemen, if he  
6. wants to be appointed as a Republican, I have no problem with that,  
7. I'll vote for him. But I'm going to vote No when we try to call  
8. him an Independent and put him on...put him on an appointment like  
9. this..

10. PRESIDENT:

11. Any further discussion? Senator Bruce.

12. SENATOR BRUCE:

13. I...I think the...the problem, Mr. President, presents  
14. itself to me and others here is the Statute requires that this  
15. board be split between the two parties. And as I understand  
16. Mr. Mann's testimony before the Senate Executive Appointments  
17. Committee yesterday, was that he had been actively involved  
18. in United States Senator Percy's campaign some four to six  
19. years ago and in his most recent campaign was...was involved as...  
20. well, I...someone else who was on the committee, let me just tell  
21. you what I understand it to be, that was very actively involved in  
22. Senator Percy's campaign for reelection to the United States  
23. Senate and for sometime, he testified he had held a post of  
24. Executive Director for the National Congressional Caucus.  
25. Republican Caucus. Now, I'm willing to stretch a point with  
26. anyone and a lot of points are stretched here. But, I don't  
27. think that we can classify under the Statute, this Gentleman  
28. to be an Independent. Now, I've made the record that this  
29. Gentleman, I think, in my own estimation, cannot be considered  
30. an Independent and I would warn the Body that the Health  
31. Facilities Planning Board is a very important statutory body  
32. who is going to be seeking approval of...of bonded money  
33. and approval of construction of facilities throughout the State  
of Illinois and I think it's a little silly of the Governor and others

1. to say that they can stack a board with Republicans and then  
2. tell this Senate we're not going to take any action and just go  
3. right along with it. If the guy worked for the National  
4. Republican Congressional Caucus, I'm proud of that. I applaud him.  
5. But I don't think he ought to be appointed as an Independent  
6. or as a Democrat to this board and I will oppose his nomination.

7. PRESIDENT:

8. Further discussion? Senator Shapiro.

9. SENATOR SHAPIRO:

10. Mr. President and Ladies and Gentlemen of the Senate.  
11. Rising in defense of the individual whose name is before us,  
12. I might state that the status of Independent is his own description.  
13. He has never voted in any primary according to the information he  
14. gave to the committee and I believe we have used that particular  
15. criterion in establishing whether a person was partisan or an  
16. independent when it came to selecting membership for the State  
17. Board of Education as to what their primary voting record was.  
18. The man clearly qualifies as an Independent under those rules  
19. and I would suggest that we ought to confirm him and get the show on  
20. the road.

21. PRESIDENT:

22. Further discussion? Senator Regner.

23. SENATOR REGNER:

24. Mr. President, I have a question of Senator Bruce.

25. PRESIDENT:

26. Senator Bruce indicates he will yield.

27. SENATOR REGNER:

28. Senator, did you say that this Gentleman worked for Senator  
29. Percy and therefore, he was a Republican?

30. PRESIDENT:

31. Senator Bruce.

32. SENATOR BRUCE:

33. Well, although I...we...we applaud Senator Percy's effort  
in support of the President and in the last Americans for Democratic

1. Action, I think he polled higher in support of the President than  
2. did United States Senator Stevenson. I still think that he  
3. receives most of his support from the Republican Party, at least  
4. as relates to finances, Senator.

5. PRESIDENT:

6. Further discussion? Senator Wooten.

7. SENATOR WOOTEN:

8. I would simply like to point out that according to Senator  
9. Shapiro's standard, we should probably reconsider the naming of  
10. Mr. Lescohier who admitted to the committee that he voted in  
11. Republican primaries but in general elections, he tended to vote  
12. Democratic. The fact is that obviously, we are winking at the  
13. requirements, but Mr. Mann is egregiously active in Republican  
14. politics, Senator Percy's campaign director two campaigns  
15. ago, a volunteer this last time and if you want to wink at all  
16. these things in all cases, fine, but I recall that we took a very  
17. rigorous attitude in the last administration and perhaps, we've  
18. let Mr. Lescohier go by, who votes in Republican primaries and  
19. calls himself an Independent. But really, we ought to make some  
20. ...some stand at some point and I believe Mr. Mann ought not to be  
21. advised and consented to.

22. PRESIDENT:

23. Further discussion? Senator Newhouse.

24. SENATOR NEWHOUSE:

25. Thank...thank you, Mr. President. Mr. Mann happens to be  
26. from my district and I didn't realize there was a difficulty, but  
27. I must rise in his defense. The question was whether or not  
28. Mr. Mann was on my campaign committee. Not the last time, Senator.  
29. May I have some order, please, Mr. President.

30. PRESIDENT:

31. Yes, indeed.

32. SENATOR NEWHOUSE:

33. I do believe, Mr. President, in the past we have considered

1. a primary voting record as a standard by which we judge these  
2. people. I would also suggest that...that it's been...that one  
3. of the contentions made previously was that we did pass other  
4. people out on this same roll call whose credentials might have  
5. ...might not have been able to withstand very, very close  
6. scrutiny. While I would agree with my colleagues that we  
7. ought to have rigid standards, I would suggest that  
8. we ought to grandfather this on in and start with the rigid  
9. standards next time around so it will apply to everyone. So, I  
10. would ask...I would ask that we advise and consent to this  
11. nomination.

12. PRESIDENT:

13. Further discussion? Senator Rhoads.

14. SENATOR RHOADS:

15. Thank you, Mr. President and members of the Senate.  
16. I happen to know the individual under discussion, knew him in  
17. Washington when he was ought there. I think it ought to be clear  
18. and the record ought to be clear that this individual is an  
19. extremely talented, capable, bright person who would be  
20. an asset to State Government. However, if the criterion  
21. is as to whether or not he is an Independent or a Republican  
22. he is a Republican.

23. PRESIDENT:

24. Any further discussion? Senator Bruce.

25. SENATOR BRUCE:

26. Well, the problem now is that we've already put Mr.  
27. Lescohier, I understand, on the board and under one test  
28. as put forth by Senator Shapiro and Senator Newhouse, he is, in  
29. fact, a Republican. Maybe you can wink at this particular  
30. appointment, Mr. Mann, but you're still going to have an illegally  
31. constituted board under that test. You're either going to have  
32. to have the test that he did or did not vote in the Republican  
33. primary or he testifies that he works on behalf of a Republican

1. candidates. Now, one of those two guys is Republican and the problem  
2. is once you put them all on, it's not legally constituted.  
3. And they're going to have bond issues, and they're going to sign  
4. off on projects and some taxpayer in the State of Illinois is going  
5. to make an allegation that it's not legally constituted  
6. and we're all going to be sitting around here wondering what to do.  
7. Senator Netsch had a bill some years ago when we got into this  
8. to define what we meant as an Independent and what we meant as  
9. a partisan Democrat and a partisan Republican. We decided that time  
10. for political reasons, that we weren't going to adopt the definition  
11. and that's why we're here today, trying to adopt a definition,  
12. two of which have been put forth. I don't know which one we ought  
13. to adopt, but we ought to get about the business of deciding what  
14. an Independent is and all these boards are going to be appointed  
15. by the Governor.

16. PRESIDENT:

17. Any further discussion? Senator Netsch.

18. SENATOR NETSCH:

19. It seems to me we really do have a very serious problem on  
20. our hands. It shouldn't be because we ought to, in many cases,  
21. eliminate the partisan requirements on boards that do not have  
22. enormous political import and with all due respect I think this  
23. one really does not. The second thing is we really ought to decide  
24. what we mean by satisfying a...a party obligation when there is that  
25. written into the Statute. But in the meantime, it seems to me  
26. we've got to do something to resolve this and I would sort of  
27. throw out a suggestion that I think as Senator Bruce indicated,  
28. it really is not fair to decide to invoke a test which  
29. has not consistently been invoked in the past with respect  
30. to this Gentleman, whom I do not know, and let it go by the board with  
31. respect to the earlier Gentleman, whom I do not know either.  
32. Why don't we ask if we could not reconsider the...that first  
33. nomination, hold this one, send it all back to the Governor and let  
him decide which is a Republican and which is not and see if we

1. can't resolve it that way.

2. PRESIDENT:

3. Further discussion? Senator Nimrod.

4. SENATOR NIMROD:

5. Mr. President and Ladies and Gentlemen of the Senate. It  
6. seems to me that the question before us is whether or not  
7. we advise and consent. I think for us to try to sit here to  
8. define what an Independent is, what a Republican or Democrat is,  
9. I think in the past we've taken the word of the individuals  
10. and we have made those appointments in good faith and I do not  
11. believe that we are wrong in going ahead since the individual  
12. said he is Independent unless there is proof brought to us otherwise  
13. than that. I don't think that others should be able to speak for  
14. them or otherwise and I think the point is that we know that when we were  
15. appointing the State Board, we found that...we agreed that there was  
16. no such position such as an independent. And I think the position  
17. here it says other seven...no more than seven of one party.  
18. And 'it's been clearly defined here that we're not doing anything  
19. to...in conflict with that particular provision and I think that  
20. we are not appointing more than seven of one party and I would  
21. say that we ought to continue with this appointment.

22. PRESIDENT:

23. Further discussion? Senator Walsh.

24. SENATOR WALSH:

25. Mr. President and members of the committee. This man classifies  
26. himself as an Independent and has never voted in a Republican  
27. primary though he is thirty-six years of age. He, personally,  
28. does not fit my bill as the kind of a person you would like to have  
29. appointed to government service. I'd rather that he had voted once  
30. in a Republican primary and once in a Democrat primary.  
31. However, it seems to me that he does fit the...fit the bill insofar  
32. as that there will be no more than...than seven of any one party  
33. on this board. He...he has not identified himself as a Republican  
by selecting a Republican ballot in a Republican primary. He

1. classifies himself as an Independent and the fact that he has  
2. participated in general election campaigns for one party or another,  
3. I don't think would classify him as a member of that party.  
4. And I might also point out to...to the membership that we have  
5. in the past accepted these...these statements by candidates.  
6. The Chairman of the Commerce Commission was classified as an  
7. Independent notwithstanding the fact that he voted in the Democrat  
8. primary in 1976. So, I would urge that we advise and consent  
9. and as the President said it was 1:45 when we got on this  
10. ...this matter. It is now past two. I urge an affirmative vote.

11. PRESIDENT:

12. Is there further discussion? Senator Philip.

13. SENATOR PHILIP:

14. Thank you, Mr. President. I am a member of the Executive  
15. Appointments Committee for the last two terms and I think we have  
16. kind of an unwritten rule in regards to Republicans, Democrats  
17. and Independents. And I think in the past we have judged  
18. them by that rule. If you don't vote in the primary, any primary  
19. or you vote Democrat and Republican both in the primary, we have  
20. considered you an Independent. If you have voted in the primary  
21. Republican, of course, you are considered a Republican. This man,  
22. whether you like it or not, does meet those requirements.  
23. Now, if those requirements are wrong, let's change the requirements,  
24. but he has never voted in the primary and as far as I'm concerned,  
25. he's not my kind of Republican, but he does hit the qualifications  
26. as an Independent.

27. PRESIDENT:

28. Further discussion? Senator Hall. Senator Wooten.

29. SENATOR WOOTEN:

30. Just to clarify a statement made by Senators Nimrod and Walsh.  
31. We have never accepted on its face a statement from someone  
32. that he's an Independent. That has always been subjected to some  
33. kind of test. And if Senator Philip feels as strongly about that...

1. the test we have used, then I am prepared to move to reconsider  
2. the vote by which Mr. Lescoheir was named to the vote...to the  
3. board.

4. PRESIDENT:

5. Senator Netsch.

6. SENATOR NETSCH:

7. Well, I think the truth to the matter is, Senator Wooten,  
8. that sometimes we accept their word and sometimes we do not  
9. accept their word and that that is the real problem and the  
10. reason why I think this is a lot more serious than  
11. just this particular Gentleman's appointment. I have sat  
12. here for a period of four years and had people...saw people  
13. who appeared before the Executive Appointments Committee who  
14. say that they were Independent, Republican, Democrat and the  
15. committee chose not to believe them. It refused to believe them.  
16. So, we have been very inconsistent. If, indeed, the...the statement  
17. of the individual before the committee is to be the final test,  
18. fine. That doesn't bother me a bit. But the point is that  
19. we have been absolutely inconsistent about what test we have  
20. applied and we are talking about some very serious matters.  
21. Either we ought to take all of these silly partisan requirements out  
22. of the boards of this kind or we ought to decide, what, in fact,  
23. we are going to accept as a test of Republican, Democratic,  
24. Socialist, Worker, Independent or whatever. But we have not been  
25. consistent.

26. PRESIDENT:

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Yes, thank you, Mr. President. Just one point I would like to  
30. clarify. We are operating presently in this State that an  
31. individual may walk in on election day, and this, of course, is  
32. going to come up in one of our bills later on primaries, you may  
33. walk in on election day and declare your party. We take the word

1. of an individual and allow them to change their party at anytime  
2. they please. I don't think this Senate or this Body or the  
3. Legislature or anyone else has the right to tell an individual  
4. who has the right to walk in on election day to change and  
5. declare his party that we can tell him ahead of time what his  
6. party is if he says otherwise. I think our present law is  
7. very..very factual. It...come by court order. We no longer have  
8. a twenty-three month provision and you may walk in on election  
9. day and change your party. I think if the law states that,  
10. if that is a practice in this State, then certainly we should  
11. accept the word of the individual who is doing it until we pass  
12. a different law.

13. PRESIDENT:

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. Well, Mr. President and Ladies and Gentlemen of the Senate.  
17. I think we ought to get back to the basic consideration here.  
18. The law concerning the appointments of the individuals  
19. of this particular board states that no more than seven shall be  
20. from one political party. I think the Governor has  
21. fulfilled that particular obligation, whereas in contrast to those  
22. members who we appoint to the State Board of Education it specifies  
23. that, to the best of my knowledge, that political affiliations shall  
24. be construed as to which primary that particular nominee voted in  
25. at the last preceding election prior to appointment.  
26. I think it's very clear that the man should be favorably considered  
27. at this time.

28. PRESIDENT:

29. Further discussion? Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Mr. President, I'd like to make a parliamentary inquiry...  
32. this remark. The Gentleman does come from my district. I think we  
33. might have been saved a great deal of difficulty if he had never

1. shown up yesterday however, he did show up. Now, we've got a  
2. problem and the problem is that if we singled this one individual  
3. out, we've got the problem of what's gone on before. Would a  
4. motion to reconsider the vote by which the previous slate  
5. was adopted be in order? I...I did vote on the prevailing side.  
6. PRESIDENT:

7. That...that motion is in order.

8. SENATOR NEWHOUSE:

9. Then I so move, Mr. Chairman.

10. PRESIDENT:

11. Senator Newhouse has moved to reconsider the vote by which  
12. the Senate advised and consented to the previous nominations.  
13. That will require a roll call. It will require a majority.  
14. Those in favor will vote Aye. Those opposed will vote Nay.  
15. The voting is open. Yes, Senator Walsh.

16. SENATOR WALSH:

17. Well, Mr. President and members of the Senate, just  
18. briefly on the question. We've already considered the  
19. ...the gentlemen whose names were mentioned and...on the request  
20. for a division had set Mr. Mann for separate consideration. I don't  
21. think it's appropriate for us now at this point to go over all those  
22. individuals, all of these people were considered in the Executive  
23. Committee and were reported out favorably without a dissenting vote.  
24. We don't learn anything new here today. This is information which  
25. everyone knew yesterday when the Executive Committee met. So, I would  
26. hope that the people who have just been approved remain approved and  
27. if we want to fight it out on Mr. Mann, so be it. I would urge a No vote.  
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End of reel.

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PRESIDENT:

1. Have all voted who wish? Have all voted who wish? Take  
2. the record. On that question, the Ayes are 26, the Nays  
3. are 28, none Voting Present. The motion fails. The question  
4. now before the Body is does the Senate advise and consent to  
5. the nomination just made. All right. The question is, does  
6. the Senate advise and consent to the nomination just made.  
7. Any further discussion? Those in favor will vote Aye. Those  
8. opposed will vote Nay. The voting is open. Have all voted  
9. who wish? Have all voted who wish? Take the record. On  
10. that question, the Ayes are 36, the Nays are 12, 6 Voting  
11. Present. The majority of the Senators elected concurring by  
12. record vote, the Senate does advise and consent to the nomination  
13. just made. Yes, Senator Buzbee, for what purpose do you arise?

14. SENATOR BUZBEE:

15. I'd like to ask any of the Senators that would like to  
16. join me in that lawsuit against any action that...Mr. President.

17. PRESIDENT:

18. I did not touch your mike.

19. SENATOR BUZBEE:

20. No, I didn't say that you did. I just...

21. PRESIDENT:

22. If I had my druthers I might.

23. SENATOR BUZBEE:

24. Senator Carroll and I would like to join in and have any  
25. Senator who would like to join in that lawsuit against any  
26. action that board takes is an...is an illegally constituted  
27. board to...to join us right now in filing of that lawsuit.

28. PRESIDENT:

29. Any further business to come before the Senate? Senator  
30. Vadalabene.

31. SENATOR VADALABENE:

32. Yes, for that short Session, Mr. President, I now move  
33. that the Senate resolve itself...

1. PRESIDENT:

2. You've heard the motion. All in favor signify by saying  
3. Aye. All opposed. The Ayes have it. The Senate now resolves  
4. itself in...out of Executive Session. Further discussion?  
5. Any further business to come before the Senate? Senator  
6. Ozinga.

7. SENATOR OZINGA:

8. Mr. President and members of the Senate. I realize the  
9. hour is late. I have on Postponed Consideration Senate Bill 2.  
10. I realize that I do not want to antagonize anybody because at  
11. this present time I have approximately 37 votes in favor of  
12. the bill, having talked to every member on the Floor. However,  
13. due to the lateness of the hour could it be possible that I  
14. could have a time certain, say one or one-thirty tomorrow to  
15. call this bill. Otherwise, I would appreciate calling it  
16. today. It's up to you...I...I feel that the bill will not  
17. take too long. However, I'm afraid that some of the persons,  
18. some of the Senators are meandering off of the Floor due to  
19. the lateness of the hour, like you said.

20. PRESIDENT:

21. Well, my suggestion is, Senator, that when we convene  
22. tomorrow at noon you ask leave to go immediately to that  
23. order of business. Senator Donnewald.

24. SENATOR OZINGA:

25. Mr. President...Mr. President. I would rather not convene  
26. right at...at...call the bill right at twelve o'clock because  
27. most of the time...you know and I know that there are a number  
28. of Senators that come in so if we can say at one o'clock or  
29. in...in between...

30. PRESIDENT:

31. I think at noon you can ask leave to go to that bill  
32. immediately. Senator Donnewald.

33. SENATOR DONNEWALD:

1. Well, there are quite a few bills on Postponed Consideration  
2. and I think they all had...all ought to have the same opportunity but  
3. that isn't the purpose for which I arise. I would ask that the  
4. Committee on Judiciary I be discharged from consideration of  
5. Senate Bill 117 and rereferred to Insurance and Licensing.

6. PRESIDENT:

7. Senator Donnewald moves to rerefer Senate Bill 117 from  
8. Judiciary to Insurance and Licensed Activities. Is leave  
9. granted? So ordered. Senator Carroll.

10. SENATOR CARROLL:

11. Thank you, by way of announcement, Mr. President. The  
12. Appropriations I Committee will meet one half hour after  
13. adjournment. One half hour after adjournment.

14. PRESIDENT:

15. Any further business to come before the Senate. If not,  
16. Senator Vadalabene moves that the Senate stand adjourned until  
17. Wednesday, April 25 at the hour of noon.

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